

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON JANUARY 15, 2013 AT 6:00 P.M.,  
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Doug Croley-District 2, Chairman  
Eric Hinson-District 1, Vice-Chair  
Sherrie Taylor-District 4  
Brenda Holt-District 5  
Nicholas Thomas, Clerk  
Debra Minnis, County Attorney  
Robert Presnell, County Administrator  
Marcella Blocker, Deputy Clerk  
Muriel Straughn, Deputy Clerk

**Absent:** Gene Morgan, District 3-

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to order at 6:03 p.m. and requested that all speakers who wished to address the Commission file a "Speaker Request Form" with the Clerk.

Chair Croley extended heartfelt condolences to Arthur Lawson and his family on the recent loss of their Mother.

He then opened the meeting with a silent prayer and the pledge of allegiance to the U.S. flag.

**AMENDMENTS AND APPROVAL OF THE AGENDA**

There were no amendments to the agenda.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA AS PRINTED.**

**PRESENTATIONS AND APPEARANCES**

**1. Brownfields Grant Update**

**Roger Register, Project Manager of, Cardno TBE, Tallahassee, FL**, appeared before the Board and gave an update on the Brownfields grant awarded to Gadsden County by the US Environmental Protection Agency. He gave information to the Board Members that listed the successful accomplishments to date. ( see attached report) He reported the following:

- Eight sites within the county have been inspected and assessed for environmental contamination as part of "Phase I" of the grant.

*Commissioner Taylor stepped out of the chambers at this juncture.*

- Four other property owners have recently requested an environment assessment of their properties .
- Four Phase II Assessments have been completed. (Quincy Middle School, abandoned hotel in Havana, former Greensboro Elementary School, former Northside High School in Havana)
- On-site work is planned to remove some underground storage tanks at the Quincy Middle School in February as the “Phase II” activity.
- The Town of Havana was able to demolish the old hotel site on North US 27 using the grant dollars. (The demolition is complete)
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*Commissioner Taylor returned at this juncture.*

- There is an EPA Brownfield’s revolving loan fund grant that will begin its next loan cycle in September 2013. The county will have an opportunity to apply for those funds and leverage it with the assessment grant to make small loans as well as major loans to the private entities that would be developing on Brownfield sites. In addition, the application could be sub-granted to non-profit entities to do clean-up of sites that have potential for contamination or actually have contamination. He will work with county staff or order to move forward with possible opportunities.
- There are other additional grant opportunities available, both state and federal, and he committed himself to work with staff to identify the ones that would be applicable to the County and its citizens.

Commissioner Croley called for questions from the board. There was no response. He then asked, “When you go in and do mitigation on these properties – I see that most of these appear to be public properties , but, if you identify something on private property, does the land owner have to pay for part of this clean-up? How does that work. ?

Mr. Register replied, “Just to clarify, on any of the sites that have been selected even for an assessment, we have to have permission from the land owners to go forward. Under the clean-up grant, there is no cost to the property owner. There is a 20% cost-share under the revolving loan fund grant that the County would have to come up with, but there is no cost to the property owner.

Chair Croley then asked, “If you decide to do the mediation and it qualifies for the loan, this county government would have to put in 20% for any cleanup in the unincorporated areas?

Mr. Register responded, “Actually, any site that lies within a municipality or the unincorporated areas that qualifies for this program under the revolving loan fund program as long as it is within Gadsden County...Part of the requirement for the revolving loan fund program is a 20% cost-share. That could be in-kind services or the County could get the individual who was receiving the loan to pay a loan fee or broker’s fee toward the 20% cost share.

Chair Croley followed with another question, “But, you will get with the administrator before you pursue anything?”

Mr. Register answered, “Absolutely.”

### **CLERK OF COURTS**

Chair Croley introduced the next item, which contained reports to the board from Clerk Thomas. . Deputy Clerk, Muriel Straughn stated the Clerk would like to make the items part of the record. Chair Croley asked the other commissioners if they had any questions.

#### **2. Cash-in-Bank Report**

#### **3. Debt Management**

Commissioner Holt stated the Clerk had included several examples of Debt Management policies from other counties, but none of them was similar in size to Gadsden. She said she would like for the administrator and the Budget Director to contact Florida Association of Counties (FAC) to seek their input to a Debt Management Policy. She pointed this out because several years ago, the FAC filed suit against the Clerk’s Association because there was a dispute that ended in a lawsuit, which lasted approximately two years. She cautioned that the board should be as less restrictive as possible to entice economic development.

Chair Croley stated she raised good points. He suggested that when the board conducts the upcoming revenue workshop. It might be a good time to allow the commissioners to discuss the debt management policies as well.

#### **4. Presentation of County Finance and County Clerk Issues**

No issues were raised by the Clerk’s staff.

### **CONSENT AGENDA**

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS PRINTED. (ITEMS 5-12)**

#### **5. Ratification of Approval to Pay County Bills**

#### **6. Approval and Signature(s) for Satisfaction of Special Assessment Lien(s) State Housing Initiative Partnership (SHIP) Program for Thomas Gatlin.**

#### **7. Approval of Signatures for Special Assessment Liens and Rehabilitation Contracts-State Housing Initiative Partnership Program (SHIP) and BOCC Emergency Repair Program for Sophie Zanders**

#### **8. Approval of New Appointment to Library Commission – Ms. Julia McNeal Branch to replace Carl Daniels as District 5 Representative.**

#### **9. Approval of CSX Railroad Invoice for Repairs to Brickyard Road Crossing Totaling \$38,818.15**

The county is contractually and statutorily obligated to pay for the maintenance costs of the railroad crossing on Brickyard Road. The bill would be paid from the Gadsden County Public Works Budget for 2012/2013. It was suggested that future budgets include a line item for railroad crossing for \$40,000 because it is difficult to anticipate when a crossing will need repair.

10. **Approval to Appoint Commissioner Gene Morgan as BOCC Representative and Commissioner Eric Hinson as Alternate to the Tourist Development Council (TDC)**
11. **Approval of Appointments to Apalachee Regional Planning Council (ARPC) Brenda Holt as the representative with Sherrie Taylor as the alternate.**
12. **Approval of Physio Control Technical Support Agreement for Cardiac Monitoring Equipment**  
The fee under the proposed agreement is \$7,528 and is payable in one installment. The expense is budgeted as a line item in the EMS Operations budget.

**ITEMS PULLED FOR DISCUSSION**

No consent agenda items were pulled for discussion.

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

No one requested to address the board.

**PUBLIC HEARINGS**

13. **Public Hearing-Approval of Budget Amendment Request to Authorize Expenditure of the Courthouse Facilities Reserve and Anticipated Fund FY 12 to Replace the Roof of the Gadsden County Main Courthouse Resolution 2013-002 and Budget Amendment BA # 130011**

Chair Croley announced that this proceeding was a Public Hearing and the Chair would entertain questions and comments at the appropriate time. The amendment had to be approved by Resolution at a Public Hearing because it increased the budget.

He then called for the Court Administrator to state the need for this budget amendment.

It is noted here that the year 2013 marks the 100<sup>th</sup> anniversary of the existing courthouse. The courthouse has been in continual use since 1913 even though the construction began in 1912.

The repairs to be discussed amounts to \$326,295.00. See the attached agenda report to see the details of the necessary repairs.

**Grant Slayden, Court Administrator, Second Judicial Circuit**, appeared before the Board on behalf of Chief Judge Charles A. Francis. Mr. Slayden stated this was a budget amendment for \$326,295 to repair the courthouse roof, to allow for main courtroom infrastructure upgrades, replace the carpeting, and \$12,000 for the Public Defender's Office for minor work.

**Nancy Daniels, Public Defender, Second Judicial Circuit**, appeared before the Board concerning the need to replace ceiling tiles and the H/AC ductwork that had mold growing in them. She asked that the more serious repairs be done at this time and defer the cosmetic repairs until a later time. She added that their office was in need of more office space also.

**Nina Moody, Chief Assistant Public Defender**, appeared before the Board and reiterated what Ms. Daniels had stated.

Commissioner Holt stated that at one time, there was a plan to relocate the Public Defender as well as other offices. However, it was not accomplished. She asked to see if they could get a bid that coincided for both facilities.

Chair Croley asked Mr. Slayden back to the podium and asked some procedural questions of him concerning the bidding process.

Commissioner Hinson stated he concurred with the Public Defender, especially in light of the economic shortfall. He said that he felt like their roof and ceiling should be taken care quickly. He concluded that the county could deal with the other cosmetic items in the next budget year.

Commissioner Taylor had questions for Building Official Clyde Collins and he came forward. She asked Mr. Collins if there was sufficient money in the fund to cover both facilities.

He replied that the roof over the Public Defender's Office had already been repaired...

Mr. Presnell commented he was not aware of the extent of the repairs that were needed in their office, but based on a previous inspection; those repairs will cost more than \$200,000. He further explained that the ceiling would have to be done at one time and it would be a big-ticket item as well as the ductwork.

Commissioner Taylor said she agreed with Commissioner Hinson because it could become a health issue and it should become a priority.

Chair Croley explained that the option before the Board was to approve the budget amendment and then allow the bids to go out roof repairs for the historic courthouse. Following that, the staff could find out what funds might possibly be available for further repairs. At such time, the board would be in a position to make an informed and intelligent decision about how to proceed to accomplish the other repairs.

Commissioner Taylor stated this was a public hearing and it could be discussed at this time.

Mr. Presnell stated they had the costs estimates, but it was a couple of years old.

Commissioner Hinson asked how the figures had been obtained and Mr. Collins replied that an architect and a roofing contractor had inspected the roof and they had established the anticipated costs and prepared budget numbers accordingly. He explained that they would not really know how bad the roof is until the roof was opened up, but the projected costs were based on the "worst case scenario."

Commissioner Hinson further stated that the mold issue should be addressed quickly but the cosmetic issues could wait.

Commissioner Holt asked the Public Defender how many offices there were in the PD's building and Ms. Daniels responded, "10 or 11."

Commissioner Holt commented that a new building could be built for the price of the repair.

Chair Croley asked that they return to the budget agenda item and called for a motion.

With no more questions from the commissioners, Chair Croley called for public input – for or against the budget amendment. There was no response.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE BUDGET AMENDMENT AS STATED.**

Chair Croley asked Mr. Presnell to re-evaluate the situation at the Public Defender's Office and report back to the Board on his findings.

Mr. Presnell said he would personally visit the Public Defender's Office.

#### **GENERAL BUSINESS**

**14. Cost Sharing Agreement between the Second Judicial Circuit of Florida, Gadsden County and the Five Other Counties in the Second Judicial Circuit for a Circuit-Wide Integrated Computer System**

Grant Slayden, Court Administrator, Second Judicial Circuit, appeared before the Board and stated he was looking at a cost sharing agreement between the Court and the six counties in the Second Judicial Circuit and asked for the Board's support of the concept at this time. He stated it had been mandated that the Courts go to an e-filing system in the criminal and civil offices and they were looking to purchase a viewer to be able to look at the paperless documents that would be filed with the Court system.

Commissioner Taylor asked if it was their intention to ask for additional funding. She also asked what they were willing to reduce in order to remain within their budget.

Mr. Slayden acknowledged that would be discussed during the next budget discussions.

Chair Croley asked about the purchase of the required hardware and if it would be shared between the counties. He mentioned that the County had invested a great deal of money for a heavy-duty IT server system that was located in the TCC building that the Sheriff's Office now occupies. He asked him to look at that to see if it could be utilized.

Mr. Slayden stated that might be a possibility and he would look into it.

Commissioner Taylor stated the figures before the Board were based on the participation of the six counties. She asked what would happen if one or more counties opted out.

Mr. Slayden responded, "If one or more county withdrew from the program, then the total cost of the project and monies given to the contractor would be reduced by the pro rata share."

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE CONCEPT OF A COST SHARING FOR A CIRCUIT WIDE INTEGRATED COMPUTER SYSTEM.**

**15. Approval to Renew Service Contract with AllCol Technologies, Inc.**

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE ALLCOL TECHNOLOGIES SERVICE CONTRACT FOR \$12,000 TO BE PAID IN MONTHLY INSTALLMENTS OF \$1,000 PER MONTH PLUS \$85.00 PER HOUR FOR ON-SITE SUPPORT.**

**16. Approval to Extend the Contract for County Auditing Services with Purvis, Gray and Company of Tallahassee, FL**

Chair Croley introduced the item and Mr. Presnell explained that the County currently had a contract with Purvis, Gray and Company that was expiring after they deliver the 2012 Audit Report. However, the contract allows for extensions.

Commissioner Taylor stated she would prefer that RFP be advertised rather than renew the contract.

Chair Croley asked the attorney to discuss the bid process.

Attorney Minnis stated that this service did not need to be bid out each year. She explained that the current contract could be extended legally.

Chair Croley asked Mr. Lawson to clarify how those items were normally handled.

Mr. Lawson appeared before the Board and explained the contract had been bid in 2010 and there was a provision in the contract that says it could be extended for 2 terms. He added that the county's Procurement Policy allows for that.

He went on to explain that the Clerk's Office had requested that the contract be extended this time because of recent staff turnover. He explained that the person who prepared the financial statements in the past was no longer employed with the Clerk's Office. The new person would need specific training and Purvis Gray and Company has agreed to provide that training to her.

Commissioner Holt asked Mr. Lawson when the contract would be up and he responded that it would expire at the end of the 2012 audit, which had recently begun. She further asked who decided what they (the auditors) looked at and she said the County possibly could save some money by going out for bids. She concluded by saying, "Sometimes it's not a matter of which one is cheaper, but a matter of which one would be better."

Mr. Lawson explained that the audit process was a difficult one and the more the auditors did, the more it would cost the County. He continued by saying that Purvis, Gray and Company were familiar with what needed to be done and what was required. He further added that the finance director agreed with them regarding the RFP, but she urged them to extend it for at least one year in view of the circumstances. .

Commissioner Hinson stated there were plenty of competent individuals and college graduates who can do the job and are out looking for work. It was his opinion that this contract should be

bid out.

Chair Croley said Commissioner Taylor had raised good points about the contract being bid out, that Commissioner Holt had made good points along with Commissioner Hinson. He suggested a compromise with a one-year extension and then to re-bid this contract.

Commissioner Holt made a motion to table this item until the next meeting but the motion died for lack of a second.

Commissioner Taylor commented that Commissioner Holt was right but audits were time sensitive and needed to move forward because the funding was based on the audit and did not need to be hindered.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-0 BY VOICE VOTE TO EXTEND THE CONTRACT FOR ONE YEAR AND REQUIRE IT TO BE BID OUT AFTER THE ONE YEAR.**

Commissioner Hinson stated that he had voted for this matter just to go along with the consensus on the board. However, he stated that he has some hesitation about it because it appeared that someone was not doing their job and he feared that this extension might send the wrong message to the citizens

Chair Croley asked that it be made clear to Clerk Thomas that, in the future, a representative from his office should be present to explain and defend their request to the Board when items of this nature were presented.

**17. Approval of Local Agency Program Agreement (LAPA) for Salem Road Paved Shoulders Project Resolution 2013-001; CFDA 20.205 – Safety Improvements to CR 159 (Salem Road)**

Chair Croley introduced this item and Mr. Presnell explained that this was the safety enhancement project for Salem Road that had been previously voted on and this was the paperwork to proceed.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGREEMENT.**

**18. Approval of Interlocal Agreement between Gadsden County and the City of Gretna and Authorize Chairperson to Execute it for the CDBG Grant with Department of Community Affairs Disaster Recovery Initiative (DRI) \$109,418.80 for Stabilization work on Canty Lane in Gretna.**

Chair Croley introduced the item and Mr. Presnell explained the Interlocal Agreement was needed with the City of Gretna and that the Grant had been obtained to fix storm water issues and flooding issues that were in Gretna on Canty Lane for \$109,418.80 for stabilization of the damaged roadway.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGREEMENT.**



**19. Planning Commission Member Appointments**

Mr. Presnell stated that some Planning Commission members' terms were expiring at the end of this month. They were as follows:

- District 1- Ronny Butler and David Tranchard
- District 3 - Frank Rowan and Mari VanLandingham
- District 5 – Catherine Robinson, Edward Allen

Growth Management and Community Development Director Anthony Matheny reported that District 1 Commissioner Ronny Butler had expressed a desire *not to return*, but the remaining commissioners had expressed their desire to return upon their commissioners' approval.

Commissioner Holt appointed Edward J. Dixon to replace Mr. Willard Rudd even though his term had not expired. There was discussion following regarding the matter of proper procedure since this appointment had not appeared on the agenda and the advertised notices.

Chair Croley called on the attorney for advice.

Attorney Minnis suggested that Mr. Rudd's replacement be deferred until the next agenda in order to give Mr. Rudd an opportunity to respond if he so desired. She stated, "You are allowed to amend your agenda with unagendaed items. My concern is the lack of notice to any individual who might want to come forward and speak on behalf of Mr. Rudd or for him to come and try to convince you to keep him on as a Planning and Zoning member. They have not had an opportunity to do that tonight. Therefore, my suggestion is more to do with the spirit of the open meetings law rather than say that you absolutely cannot change your agenda. My concern is that it is not anywhere on the agenda that he was going to be considered for replacement."

Holt:

Therefore, procedurally, you are not saying that it cannot be done.

Minnis:

To my knowledge, there is nothing that says you cannot amend your agenda. My suggestion would be in keeping with the spirit of the law to bring it back at the next board meeting in order to give those that may want to speak on Mr. Rudd's behalf an opportunity to do so.

However, Commissioner Holt did not withdraw her appointment.

Chair Croley recited the Rules of Procedure found in each commissioner's notebook, which states the agenda can only be amended by a consent of the whole commission. He asked that the board follow the attorney's suggestion.

Commissioner Holt asked Ms. Minnis, "Where is it in the procedures that says that there is only one place on the agenda where we can amend it?"

Ms. Minnis replied, “It is in the ordinance for the administration and running of your meetings.”

**District 1 appointment** - Commissioner Hinson appointed William Chukes to replace Ronny Butler and reappointed David Tranchand.

**District 5** - Commissioner Taylor reappointed Mr. Allen and Mrs. Robinson.

Commissioner Morgan was not present, but the agenda report requested the reappointment of the members serving from District 3 – Frank Rowan and Mari VanLandingham.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE NEW APPOINTMENT OF WILLIAM CHUKES AND REAPPOINTMENTS OF THOSE WHOSE TERMS WERE EXPIRING AS STATED IN THE AGENDA REPORT WHICH INCLUDED THE REAPPOINTMENTS OF DAVID TRANCHARD, ED ALLEN, CATHERINE ROBINSON, FRANK ROWAN AND MARI VANLANDINGHAM. :**

\*\*\*\*\*For the sake of clarity, later in this proceeding, the board revisited the Planning and Zoning appointments at which time the agenda was amended and a vote was taken to appoint Edward J. Dixon to District 4 to replace Willard Rudd. The following list reflects the board’s comprehensive action as it relates to Planning and Zoning Commission appointments. See Page 18 of this set of minutes for details of Mr. Dixon’s appointment..

- District 1- William Chukes (replacing Ronny Butler) and David Tranchard (reappointed)
- District 3 - Frank Rowan and Mari VanLandingham (reappointed)
- District 4 – Edward J. Dixon (appointed to replace Willard Rudd)
- District 5 – Catherine Robinson, Edward Allen (reappointed)

**20. Notice of Intent of the Property Appraiser to Enter into a Contract for Cell Tower Valuation as Proposed by Cell Tower Solutions (CTS)**

Chair Croley introduced the item and Mr. Presnell stated he and Property Appraiser Clay VanLandingham had met with a contractor that specialized in evaluating cell towers and its associated equipment.

**Mr. VanLandingham** appeared before the Board and stated he was seeking Board approval for the contract with Cell Tower Solutions to assist his office in re-evaluating the cell towers in Gadsden County and to train his staff to appraise the value on cell towers and equipment attached thereto. He further stated the terms of the contract were acceptable and they kept their maximum costs to \$66,000 and expected the minimum cost to be \$57,750.

He went on to explain that he did not know about the availability of this service until after the budget season was over, so it was not included in his current budget. However, Cell Tower Solutions agreed to a \$3,000 expenses only payment out of this current fiscal year. He further added that the remaining balance of the first 50% would be due October 4<sup>th</sup> 2013 then 25% would

be due when the value adjustment appeal period is over. (CTS is committed to be present to represent the County at the Value Adjustment Board (VAB) Hearings.) The final 25% would be due when the taxpayers paid their bills. Mr. VanLandingham added this would be a significant increase in cell tower evaluations and would result in more ad valorem tax revenue to the county.

Commissioner Hinson asked if the budget would need to be amended for the \$3,000.

Mr. Presnell responded, “No sir, the property appraiser will cover that \$3,000 out of his current operating budget. What he’s looking for is a guarantee from this Board that we will fund the remaining \$57,000 during the budget process. That’s what he’s seeking tonight.”

Mr. VanLandingham added that his budget next year would include the balance owed.

Mr. Presnell added it would generate approximately \$90,000 in new revenue that the Board would realize immediately. Every year thereafter, there would be an increase of revenue.

Commissioner Hinson asked if the company had submitted any references and Mr. VanLandingham responded the company had worked all over and he had contacted a couple of appraisers for feedback about them. Other property appraisers had only glowing recommendations.

Commissioner Taylor asked, “When the time comes to approve the new budget, where the money would come from?”

Mr. Presnell explained the money would come from the increased revenues.

Commissioner Holt was concerned with the monies due October 4<sup>th</sup> because it would be 4 days into the new fiscal year when, typically, there will be a cash crunch because no revenue would have been collected by that time. She stated that, if approved, this expenditure would need to appear in the first draft of the budget to insure it did not get lost in process.

Mr. Presnell explained there is always a crunch at the beginning of a new fiscal year until the tax collector begins to collect the ad valorem tax dollars. However, the Clerk’s Office would have fund balance or reserve funds that could be used as cash flow until the tax collector begins receiving property taxes in late November and December. He stated that cash flow should not become a problem. .

Chair Croley asked if the cell tower was considered tangible personal property and what made the evaluation of this type of tangible personal property different from any other tangible items.

Mr. VanLandingham explained, “One reason, Commissioner, is the speed at which the technology is changing in this industry. It is hard to keep up with it on a daily basis. We have gone from 2G to 3G to 4G. Who knows what is next? The carriers are putting more and more capacity on the towers to carry more and more data that you, I, and everyone in this room have probably been pushing through these machines and various other kinds of machines. It helps us keep up to date with that equipment change as it goes through. These folks document every carrier on the tower, the number of feet of cable, the type of electronics that are there, the cabinets, the ice dams, backup generators, etc. They take care of the whole site itself. Not only the new technology, but

what is used on that site to keep the technology running.”

Chair Croley said, “I can appreciate the need to properly document things, but how do we as a commission obligate ourselves with the agreement when we don’t really know that we have a dedicated source of revenue? I see the merit in doing it, but how do we know what it is going to generate?”

Madam Attorney, are we legally able to make that kind of commitment under State Law?”

Mr. VanLandingham responded, “In the agenda request, the last paragraph is titled “Guarantee.” Cell Tower Solutions guarantees in the contract that cell towers will produce revenue after fees are collected. In the event that collections are less than the agreed fees, Cell Tower Solutions will rebate a portion of the fees as calculated in the contract.”

Chair Croley then asked, “Concerning the Value Adjustment Board, the Board is supposed to keep an open mind about the Petitioner coming in and saying that you have misvaluated them. I want to make sure that that doesn’t create a problem when we are entering into an agreement that is going to guarantee this revenue coming in. If we are going to sitting as a quasi-judicial body and by the way, did we go with the magistrate process?”

Straughn:  
Not yet.

Croley:  
I think you can appreciate why I am asking that question because if we make an agreement as commissioners and they guarantee that we are going to get all this money back. That seems a bit unfair to the people who may be appealing to us on the Value Adjustment Board that we didn’t evaluate them correctly. .

VanLandingham:  
Isn’t that the reason for the Value Adjustment Board? Whose valuations are right?

Croley to Attorney Minnis:  
But, we are supposed to be sitting in a quasi-judicial situation. Are we not? I am looking for guidance here. I think you see my point.

Minnis:  
I have not been asked to look at this issue so I have not delved down into the details.

Croley to VanLandingham:  
In your research with other property appraisers...Has this come up and has this been a problem, or did you ask?

VanLandingham:  
They worked a similar agreement with Angela Gray in Jefferson County and it was not an issue.

Croley:

I am in agreement with giving you the assistance, but I just want to make sure that it doesn't come back to be an issue. I am not agreeing to obligate this board for \$63,000 that we may or may not have. I understand about the guarantee.

VanLandingham:

In the event that the collections are less than the agreed fee, they will rebate.

Croley:

That is it for me, Commissioners. Do any of you have any other questions or are you ready to take action on the item?

Hinson:

I strongly concur with what you are saying. When I was on the School Board, we dealt with a similar situation only it was dealing with energy. The company guaranteed that we would get all this money back. Three years later, we had a bunch of "I was, I was, I was... You know the cost of utilities went up and so on."

So, what are the variables that may apply to this or may slow down us getting additional money from this?

VanLandingham:

I don't think there are any variables, Commissioner. I think the only variable that they may discover is that there are additional unregistered towers that are taxable within the county that we are not aware of.

Hinson:

So, you see more pluses than minuses on this?

VanLandingham:

Yes, sir. Any towers less than 200 feet are not required to be register with the FCC. I know that we have a few of those in the county, but there is a possibility that there are a few more.

Hinson:

I am glad you are thinking outside the box. Crazy ideas can sometimes be the best ideas.

I was just thinking, and I am not sure that this applies, but I am just being consistent with the board in what we talked about earlier when we just went against the Clerk of Court and land blasted him about following the bidding practices. So, did you have any competition out there?

VanLandingham:

No, sir.

Hinson:

No other competition. That is it.

Holt to VanLandingham:

Mr. VanLandingham, are considering looking at towers on private property?

VanLandingham:  
Yes, Ma'am.

Holt:  
That was just something I was wondering about, whether they were conforming to our regulations. I am very interested in those. There are quite a few of those. I don't know if you are looking at the same ones that I am looking at or not. When I ride around, I wonder about that. There was one in Midway before and they were not being paid for the antennas they had. They thought they had 10 and they ended up with about 30 that they did not know anything about. They were going by the contract they had and they should have been receiving a lot more money than they were getting.

VanLandingham:  
There will be a physical inspection, Commissioner of each tower site in the county. Then a list of what is on there, and the carriers and what not.

Holt:  
Sounds great.

Payment terms were explained earlier in the discussion, but are listed here again for reference along with the contract approval. To assist the county in budgeting, CTS will agree to an expenses only first payment of \$3,000 payable when the reports are submitted to the County. The remaining balance of the 50% will be due on October 4, 2013. An additional 25% is due when the VAB appeals process is over and the final 25% when the taxpayer pays the revised tax bill.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-0 BY VOICE VOTE TO ACKNOWLEDGE THE CONTRACT BETWEEN THE PROPERTY APPRAISER AND CELL TOWER SOLUTIONS AND THAT \$63,000 WILL BE BUDGETED AND PAID IN THE FY14 BUDGET FOR THE PROPERTY APPRAISER.**

#### **COUNTY ADMINISTRATOR**

##### **21. Update on Board Requests** **Workshop – Revenue, Debt Management, Transportation**

Mr. Presnell asked to schedule a workshop date for February, preferably the 21<sup>st</sup> to discuss revenue and transportation issues.

Commissioner Hinson asked if the workshop could be held at 4:30 on a Tuesday before the meeting.

Commissioner Taylor stated she would rather come in early before the meeting rather than hold the meeting on a Thursday.

Commissioner Hinson proposed to meet on Tuesday, February 19<sup>th</sup> at 4:30 to start the workshop, end the workshop at 6:00 and then start the board meeting.

**THERE WAS A CONSENSUS OF THE BOARD TO SCHEDULE THE WORKSHOP DISCUSSING REVENUE, DEBT MANAGEMENT POLICY AND TRANSPORTATION FOR FEBRUARY 19<sup>TH</sup> STARTING AT 4:30.**

**Retreat**

Commissioner Hinson asked to reschedule the Board Retreat after his commissioner training that would be held in March.

**Surface Water Quality**

Chair Croley asked Mr. Presnell for an update on the surface water quality database and the hazardous waste pick-up.

Mr. Presnell said Mr. Matheny had shown him a map two weeks ago and the mapping of permitted sites had been started.

**Hazardous Waste Pickup**

Mr. Presnell stated that hazardous waste may be dropped off at public works every Thursday afternoon.

Chair Croley asked how the public was informed of this.

Mr. Presnell responded that ads were placed in the paper when they have the large pick-ups scheduled.

**COUNTY ATTORNEY**

**22. Update on Various Legal Issues**

**National Solar**

Ms. Minnis said she had recently received an email from the attorney with National Solar and he indicated that they were in the process of identifying more available sites in Gadsden County and they were moving forward.

**Redistricting**

Chair Croley asked about the progress on re-districting since this was an odd year.

Ms. Minnis replied that it had to be determined if there is a need to redistrict. She recalled that there had been presentations in the past that indicated there was about a 2% change in the population and they may not have to redistrict. However, the board must look into the matter. She stated that, she and the Supervisor of Elections recommended that the board hire an outside consulting firm as the board did for the last redistricting process. The consultant would bring back a recommendation to the board about a plan of action.

Chair Croley asked if this matter was one that staff could handle as far as contacting the vendor.

Ms. Minnis answered affirmatively.

Chair Croley explained this was not something that he was suggesting they take action on at this meeting but it was something to be addressed in the near future.

#### Interlocal Agreement with Sheriff for Emergency Management Operation

Chair Croley asked Ms. Minnis as to the status of the Interlocal agreement with the Sheriff regarding emergency management operations.

Ms. Minnis stated she had forwarded a revised agreement to all of the Commissioners and had only received feedback from Chair Croley. She added that she would like to have their feedback. She explained that the last draft of the agreement was a compromised document that was developed between the BOCC and the Sheriff's Office. She indicated that there was nothing in the law that required them to have an emergency management agreement, but it was not a bad idea to have one. She cautioned them that they needed to keep in mind that, at some point, the two sides would have to compromise and that both sides would not get everything they wanted. She went on to say that, there is an adopted Emergency Management Plan that sets out the various day-to-day responsibilities, which will be used when an emergency is declared.

### **DISCUSSION ITEMS BY COMMISSIONERS**

#### **23. Commissioner Morgan, District 3-District Concerns**

Commissioner Morgan was not present.

#### **Commissioner Holt, District 4-County Concerns**

##### **Debt Management Policy**

Commissioner Holt referred to the item regarding debt management policies that had been submitted by the Clerk. She stated that she would like to see some examples of debt management policies from counties that are more comparable in size to Gadsden. She said she would also like the board to make a determination of the financial posture the board wanted to establish for themselves. For instance, "If this county wants to be more economically sound, establish policies and procedures to get us there, but let's decide what that posture will be before we develop the policy."

##### **County Auditors**

She then mentioned the County's auditing company and she asked, "What categories are they auditing and what they would be looking at?"

##### **Brownfields Grant and Enterprise Zone Grants Available**

She added it was very interesting information provided from Mr. Register on the on the Brownfields grant.



Commissioner Holt then mentioned that there are additional grants and loan programs associated with the Brownfields grant for which the county could qualify. In addition, for those businesses, which locate in the enterprise zones, there are five grants available to those that apply. She mentioned that some of the established businesses such as Piggly Wiggly could get tax incentives for hiring new people.

**Appointment of Edward J. Dixon to the Planning and Zoning Commission**

She turned her remarks to the Planning and Zoning appointment process saying that - when a new person was proposed, it was not done ahead of time. She added that at any time, a Planning and Zoning member could decide that they did not want to be on the Board even during their term. A Commissioner could decide to appoint someone else without waiting until the end of their term because they serve “at the will of the Board”.

**A MOTION WAS MADE BY COMMISSIONER HOLT AND SECONDED BY COMMISSIONER HINSON TO AGENDA THE REPLACEMENT OF WILLARD RUDD ON THE PLANNING AND ZONING BOARD FOR THE NEXT MEETING.** *(The motion was withdrawn before the vote was taken.)*

Commissioner Hinson asked if it was legal for Commissioner Holt to make the change and why she had to wait until the next meeting to do so. He stated he did not want to vote on something that did not make any sense.

Ms. Minnis offered to clarify because things got very confusing during the debate over the matter. She added, “Basically, there was nothing in the public meeting laws that stated the agenda could not be amended after the meeting had started and then add an item. ...The ordinance states that with the consent of the Commission as a whole, matters may be placed on the agenda by any member of the Commission, Manager or the County Attorney. It does not give specific time. The general practice of this Board is to amend at the beginning of the meeting, but there is nothing in the law or in the ordinance that prohibits a Commissioner, the County Manager or myself from amending the agenda. My only caution was that since it could be an issue that the public would have an interest in, because there may be some individuals who would want to come forward and speak on behalf of Mr. Rudd, to see if they could talk to Commissioner Holt, that it may be a good idea to postpone it. It was not that the law said you have to, it was just in the spirit of the open meeting law. But it is still the will of the Board. If the motion is made and the motion is seconded and the majority of the Board members vote to add it to the agenda, it’s added to the agenda.”

Commissioner Hinson asked if Commissioner Holt asked the County Administrator after the meeting to have this placed on the agenda, then the Board just had to approve this, or did the Board need to approve this and then approve that.

Ms. Minnis stated there were several ways an item could be placed on the agenda. The Chair could get with the County Administrator to put items on the agenda, she added there also had been times when they had initiated the practice where the Commissioners could vote based on the motion of one commissioner with a majority vote of the other commissioners to have an item placed on the agenda for upcoming meetings.

**Commissioner Holt asked to withdraw her motion.**

Chair Croley said all they were trying to say was the agenda item that was before the Board related to Planning and Zoning was specific to District 1, 3 and 5 and if Commissioner Holt wished to have her appointment added for District 4, he would hope that the Commission would support her in that request. He suggested that she submit an agenda item for the next meeting to deal with the appointments for District 4, whatever that recommendation might be.

Commissioner Holt stated that Commissioner Hinson was correct, that only recently had the Board taken a vote before adding an item to the agenda. She continued, "When I decided on this appointment, I approached Mr. Presnell with my intentions...The item could have been added then, but a Commissioner always wanted to notify the Chairman to let them know what they were doing."

**A MOTION WAS MADE BY COMMISSIONER HOLT TO AMEND THE AGENDA TO ADD A REPLACEMENT APPOINTMENT FOR DISTRICT 4 FOR PLANNING AND ZONING COMMISSION AT THIS MEETING.**

Before the vote, Commissioner Hinson had questions, stating he was still confused. He said that he was going to support the motion, but for future reference, if one of the other Commissioners have an agenda item request, the best way to handle it would be to contact the administrator who would then notify the chairperson of the agenda item.

Chair Croley responded, "Yes, that was one way".

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO ADD "THE REPLACEMENT APPOINTMENT FOR DISTRICT 4 TO THE PLANNING AND ZONING COMMISSION" TO THIS AGENDA.**

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO REPLACE PLANNING AND ZONING MEMBER WILLARD RUDD WITH EDWARD J. DIXON.**

**Commissioner Taylor, District 5-**

Commissioner Taylor had no report.

**Commissioner Hinson, Vice Chairman, District 1 – County Concerns**

**Martin Luther King's Birthday & Anniversary of Alpha Kappa Alpha Sorority**

Commissioner Hinson acknowledged Dr. Martin Luther King's birthday and the anniversary of the Alpha Kappa Alpha (AKA) sorority. He mentioned the sorority anniversary because they give the two high schools money to help support the children.

**Patronage of Local Restaurants**

He asked the Commissioners to make a personal commitment to support local restaurants by patronizing them by eating at them twice a month.

**Commissioner Croley, Chairman, District 2-Report and Discussion on Public Issues and Concerns Pertaining to Commission District Two and Gadsden County**

**Redistricting**

Chair Croley asked to have the Redistricting of Voting Districts placed on the next agenda.

**Highbridge Road**

He reported that the county has received emails from Florida Highway Patrol concerning High Bridge Road and mentioned opportunities to do improvements.

**RECEIPT AND FILE**

24. a) For the Record: Letter from the Division of Emergency Management stating the Florida Division of Emergency Management (FDEM) has found the Gadsden County CEMP to meet the compliance criteria. To be found in complete compliance, the plan must be adopted by the BOCC by resolution. Upon electronic receipt of the Resolution, the FDEM will issue letter finding the CEMP in complete compliance. Failure to adopt the plan by resolution within 60 days will result in a letter of non-compliance unless an adoption extension is requested.
- b) For the Record: Letter from Waste Pro Regarding Franchise Agreement – notice that Waste Pro will be putting through an annual price increase effective January 1, 2013 pursuant to the contract agreement.
- c) For the Record: Letter of Support to Division of Historical Resources Regarding Quincy's Restoration Grant for the restoration of the Old Post Office in Quincy.

**February Meeting(s)**

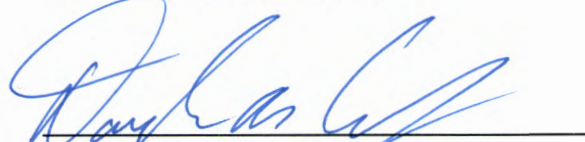
- February 5, 2013, Regular Meeting, 6:00 p.m.
- February 19, 2013, Regular Meeting, 6:00 p.m.

Gadsden County Board of County Commissioners  
January 15, 2013 – Regular Meeting

**MOTION TO ADJOURN**

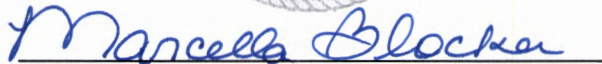
**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 8:38 P.M.**

GADSDEN COUNTY, FLORIDA



DOUGLAS M. CROLEY, Chair  
Board of County Commissioners

ATTEST:



Marcella Blocker, Deputy Clerk for  
NICHOLAS THOMAS, CLERK

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON FEBRUARY 5, 2013, AT 6:00  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ.**

Present: Doug Croley-District 2, Chairman  
Eric Hinson-District 1, Vice-Chairman  
Brenda Holt-District 4  
Sherrie Taylor-District 5  
Nicholas Thomas, Clerk of Court  
Deborah Minnis, County Attorney  
Robert Presnell, County Administrator  
Marcella Blocker, Deputy Clerk

Absent: Gene Morgan-District 3

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to order at 6:01 p.m. and asked that all cell phones be silenced. He then asked those who wished to address the Board to fill out a "Speaker Request Form" and file it with the Clerk.

He then asked everyone to stand for a moment of silent prayer and the pledge of allegiance to the U.S. Flag.

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Croley asked that everyone stay focused, especially the public hearings. He called on the Administrator to report any changes to the agenda.

Mr. Presnell recommended two changes to the agenda. They were as follows:

**Remove:** Item 2 – Presentation by Dr. Muhammad

**Add:** Approval of a Grant from the Department of Economic Opportunity (DEO). Chair Croley stated the removal of items did not require any special vote, but any additions to the agenda would require a vote of the Commissioners. He asked the Administrator if he was aware that according to the rules of procedure, any additions to the agenda required 10 days advance notice. He then asked if the matter was an emergency.

Chair Croley asked the Commissioners, in hearing the procedures, if there was a motion to add the item to the Agenda.

**A MOTION WAS MADE BY COMMISSIONER HOLT AND SECONDED BY COMMISSIONER TAYLOR, TO APPROVE ADDING THE DEO GRANT TO THE AGENDA.**

**DISCUSSION FOLLOWED.**

Chair Croley asked the attorney if the addition to the agenda required consent of the whole commission. Attorney Minnis stated that an addition to it did require consent of the commission as a whole then the matter could be placed on the agenda.

Chair Croley stated he had a problem with the untimely manner in which the item was placed on the agenda and did not think it was appropriate to act on the matter without having time to review the material.

Commissioner Hinson stated he had spoken with Mr. Presnell concerning this matter and he personally approved of it, but would respect Chair Croley's concerns.

Commissioner Holt asked the attorney to read the ordinance.

Ms. Minnis said there were two sections and "One requires that any support information be provided or be available no later than 10 business days before the regular meeting. If the support information is not available, the agenda item shall be removed from the agenda and considered at a later meeting. The other provision under that section, Subsection J, which basically allows the Board to place items on the agenda even though they have not been presented to them in advance, but it requires the consent of the whole commission in order to do that."

Commissioner Holt stated that the DEO grant was not an item that required a lot of research because the application was made, money would be received and the scope of work was already getting done. She thought the matter needed to move forward.

**CHAIR CROLEY CALLED FOR THE VOTE. THE BOARD VOTED 2-2. THE MOTION TO ADD THE DEO GRANT TO THE AGENDA FAILED.**

Chair Croley asked that this be taken up at the next meeting.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY CHAIR CROLEY, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED.**

**AWARDS, PRESENTATION AND APPEARANCES**

**1. Presentation of Resolution Honoring the Life of Julia Munroe Woodward**

Chair Croley introduced a Resolution honoring the life of Julia Munroe Woodward. He read the resolution into the record then presented it to Dr. Pat Woodward on behalf of the Woodward family.

Dr. Woodward made a few comments to the Commission, "I know for Mother, it was a great pleasure and privilege for her to be a member of this community and this County for 98 years. What a record. And for all of us, whom she and our Dad raised here. This is home and we thank you, everyone."

**2. ~~Proposal for Lease of the Urgent Care Center~~**

**This item was removed from the agenda.**

**3. Presentation Introducing the SeeClickFix Web and Mobile App for Reporting Public Concerns**

Public Works Director Charles Chapman presented a web and mobile application interface that the County has for a free trial period that would be available so the residents could report public concerns, problems and issues that needed attention.

Commissioner Holt asked what the cost would be once the trial period had ended. Mr. Chapman responded. "Approximately \$380 per month."

**CLERK OF COURTS**

**4. Presentation of County Finance and County Clerk Issues**

Clerk Thomas stated that he understood the Commission had several questions for him at the last meeting and he would like to respond to them.

One of their questions arose as a result of the examples of "Debt Management Policies" from other counties. His reason for providing them was because that their auditors have recommended such policies for several years in light of multiple outstanding bond issues. His intention was to call their attention to the recommendation expressed to him and simply provide examples.

He shared with them three things that he learned are of paramount concern to citizens as the BOCC entertains discussion about bond issues.

- First, he thought citizens should always be asked if they want the project that the BOCC is considering
- Secondly, if it is something they want, the BOCC should ask them, "Is it something you are willing to pay for?" and
- Thirdly, how will you determine the feasibility of the proposed project.

He added that he brought this to their attention because so many local governments are struggling with their day to day operations because they are so burdened with bond issues.

He commended them on having a healthy fund balance and acknowledged that Gadsden County is in much better shape than many others, but he did not want them to think that bonds were the complete solution without first having a policy in place a policy that would guide them through the issues.

Mr. Presnell interjected that a workshop is scheduled for February 19<sup>th</sup> at 4:30 p.m. at which time options would be laid out concerning transportation issues as well as funding options including general revenue. He added that the second part of the workshop would be related to the transportation issues and dedicated funding sources.

Clerk Thomas asked that they develop a debt management policy and consider the cost of day to day operations as they contemplate additional bonds so all the scenarios would be covered. The Clerk then referenced the remarks and questions raised about extending the letter of engagement with Purvis Gray and Company for their auditing services. He commented, "Really and truly, if you want to know the truth, I don't care who your auditors are as long as they are professional, they

are timely, they get the job done in a timely manner and they have experience in auditing counties. Just because some audit firm audited a municipality down the street does not mean that's who we should have necessarily and they need to have the resources. Giving an example, the last batch of auditors you had never got the audit done on time. The audit never was done before March 31<sup>st</sup>; They were way in the summer getting the audit done. Now, they would come in to audit and spend three months auditing. They only brought one or two people in and they spent three months tying up our conference room. We could not do our family law assistance program to help needy people with their legal issues.

The current auditors you have, they come in one week in December and two to three weeks in January. They bring about six or seven people in and get the job done. So, we simply made a recommendation that you renew it. Whenever you go out for auditors, you should go out for bid and I recommend you keep all the other constitutional officers on the audit committee. They ought to have a "say-so" in who is recommended and it ought to be clear that the audit fee that you are paying the auditor does not include any training. Any training I want to do for my staff, I'll do that. I did not ask you for anything there. We had auditors that did a good job; we recommended that you give them an extension. We weren't in a position where we wanted sort of a haphazard decision to change auditors for political reasons. It's just that simple.

While we're talking about auditors, I think someone asked a question whether we could tell the auditors how to do their job? No, you can't. They have standards and guidelines; however, if you are concerned or have proof or indications of some fraud or impropriety, it's your obligation to tell them about it. But, that, too, is not some political game that you play, it's serious business.

Again, while we're talking about auditors, we do this pre-audit function where we look at all your bills and invoices and we write hundreds of checks every month totaling \$3-4 Million dollars and we put a lot into that and there is a reason for it. When the auditors come, the first thing they do, any of them, is they look to make sure you haven't been overpaid. Second thing, they pull out your travel and look at your travel. We scrutinize that. Why? To save taxpayers and it saves you. That's what we're doing, so if anybody has any issues with that, we're just trying to help you."

He then referred to questions raised concerning the jail budget. He reminded them of a report that was circulated last summer about the money that had been budgeted over a span of a years to do jail repairs, but the monies were never spent. In The report, the Board was told there was \$423,000 left. As a result of that report, he said he was asked, "Where's the money?" He explained that the budget director had budgeted the money in the Capital Projects Fund 301 and identified it as "Jail Boiler Replacement" and the money was appropriated.

He then acknowledged Commissioner Hinson's request for the Clerk to have something in writing in the agenda package regarding the issues that he presented or raised.

Chair Croley stated that Commissioner Hinson made a valid point. Even though the Clerk's items were informational and presentations and did not require action by the board, he reiterated that it would be helpful to the Commission if the Clerk would prepare bullet points alerting the commissioners to the points he expected to raise with them. .

Commissioner Hinson:

"I think we are all professionals here, and ah, I think we all make sound decisions, I majored in



Business (inaudible). I go by numbers, I go strictly by number, and what happened here is that, for one, I had a concern, I only had one concern. I know you had to get a few things off your chest, but this is not a meeting to get things off your chest. This is a meeting to make sound decisions and, I had an issue, just one of the issues. You had about 10-12 issues that you got off your chest. As you say, I have an issue. We had, I think your staff..."

Clerk Thomas tried to speak.

Chair Croley:

"Excuse me, I'm sorry, ah, ah, you can't hear him?"

Commissioner Hinson:

"We had the Associate, Associate County Administrator in here and he said that the issue that you had was that, that particular auditor was to educate one of your new employees. That is what the issue is about. We just addressed the issue at the Board. We weren't trying to be combative on that deal; we just had an issue with that particular issue.

Like, there's another issue, I think that the auditors need to look at. I went to the County Commissioner Workshop that you were talking about that all the County Commissioners attended except me because I was a new County Commissioner and one of the things I asked and he said the agenda. We've got here 'Approval of Minutes', right? When I was on the School Board before every board meeting, we had approval of minutes before the meetings. So I asked Jefferson County and also asked Gulf County, that's much smaller than Gadsden County, why we get our minutes six weeks or maybe 2 or 3 months after the meeting, because one of the things I ran on (I know you are a constitutional officer yourself) but, one thing I ran my campaign on was transparency. I'm one of the fairest guys you can find. I cannot be transparent with my constituents unless they can see what happens every meeting. It was comical, it was (...inaudible...) conversation. They thought it was funny that we get our minutes four or five meetings after the board meeting, after each board meeting. I didn't talk about that, but since we are on that situation, I'm just asking you. I'm a new Board member, I'm asking you if you can, let's try to be as efficient and as effective in holding (...inaudible...) to yourself, because we're...

Chair Croley:

"Commissioner Hinson and Clerk Thomas, I really think that some of these items, y'all probably ought to talk about one on one and maybe y'all could set up a meeting, but for the sake of time, unless there is a specific question now about something the Clerk has brought up, let's please move forward because we could hang on this..."

Commissioner Holt:

"I can make mine really quick. Thanks to everyone for your comments. On the issue of the auditing firm, I was of the mind that we go ahead and bid it out and the best rise to the top and that's usually how we do contracts....unless it is a sole source.

The other thing was on the issue of the software and the bond issue; I'm always for workshops on that. I fully think that we should have been doing them all the time and I think they should be done by with constitutional officers need to come in and sit in on those workshops. We can all sit down and look at the same piece of pie to be divided up. That way, it's not a problem during budget time or who does or does not get anything.

But, when it comes to people coming before us saying that we want a continual contract, then that's something that we need to make sure that if any constitutional officer wants to say it is OK, then they need to be in the room when we make the decision. That's all, that was my concern. I want to make sure that we get out there and get the best job for the money, the same thing that you are concerned about.

The other is, the other auditing firm said exactly the same thing about the previous auditing firm. So everyone says 'The other guy is doing a bad job, that's why I'm here'. That's what they always say. I never paid them that much attention as far as that goes. I asked specifically for different departments, well, why didn't you look into this department? 'Well, we kind of narrow it down', that's the kind of answers I was getting. They narrowed it down, I couldn't ask about certain departments because they didn't look into depth on those. They looked at certain ones. So I made sure I asked, I thought, I was under the impression that when you did an audit, you were going after every department to let us know if there was something that we need to fix. I don't need, like some people do, they want a letter saying 'You're doing a great job', I kind of want to fix something, quite often, because I know you can't be doing 100% all the time anyway. But that was the issue about why we didn't have a little say-so in that, or I didn't, because I wanted to see some things going on. Not that anything else was going on wrong, I just needed to know. Thank you."

Chair Croley stated they appreciated the services provided by the Clerk, that he was an integral part of the Board of County Commissioners, by statute as well as all the duties provided to the Commissioners and the only thing he thought the commission would like to ask of the Clerk was when there were agenda items, such as the auditors and the Clerk's office wished to have input into it, having someone present to address questions from the Clerk's standpoint would be most helpful.

#### **CONSENT**

Commissioner Hinson asked to pull the following items for discussion:

- Item 5
- Item 6
- Item 9
- Item 10.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY CHAIR CROLEY, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA, TO-WIT: ITEMS 7 AND 8.**

5. ~~Approval of Minutes~~—Pulled for discussion  
-November 20, 2012-Regular Meeting
6. ~~Ratification of Approval to Pay County Bills~~ Pulled for discussion
7. **Approval of Contractual Agreement between CenturyLink and Gadsden County and Authorize the Chair to Sign (Contract No. 120200510659)**
8. **Approval of "Piggy Back" Agreement with the Management Experts, LLC to Provide Emergency Management Training (Contract No.: 2012-GCSO-DEM-HS)**
9. ~~Approval of Task Order Number 2013-130 Authorizing Preble Rish Engineering to Perform~~

**~~Engineering Services for the Woodward Road Resurfacing Grant Project (Task Order 2013-130)~~**

Pulled for discussion

**10. ~~Approval of Task Order Number 2013-129 Authorizing Preble Rish Engineering to Perform Engineering Services for the Flat Creek Road Resurfacing Grant Project (Task Order 2013-129)~~**

Pulled for discussion

**ITEMS PULLED FOR DISCUSSION**

**u Approval of Minutes**

-November 20, 2012-Regular Meeting

Commissioner Hinson stated the minutes on the agenda for approval were from the November 20<sup>th</sup> meeting and several board meetings had been held since that time and asked what could be done as a Board to facilitate timelier filing of the minutes for approval by the Board.

Clerk Thomas responded that several sets of minutes had been e-mailed to the county administrator's office to appear on the agenda for approval. He could not explain why they were not on the agenda, but he surmised that something occurred that caused a delay. He also reiterated that their internal policy and legislative actions are such that there will always be a lengthy delay before any set of minutes can be approved by the board. Agenda items are due to the county administrator's office by noon on the day following a meeting, which automatically causes a two week delay before they can get on the agenda. The agenda is then advertised another two weeks before they are actually approved by the board.

In response to Commissioner Hinson's concern about transparency, the Clerk referred the Commissioners and their constituents to his website at [www.gadsdenclerk.com](http://www.gadsdenclerk.com) to view the audio/video recording along with the "short draft notes," which reflects the board's final actions on each agenda item. He said that barring any technical difficulty, those ordinarily appear by 9:00 a.m. the day following a meeting. As well, the draft minutes are routinely posted to the site as soon as they are prepared – long before they appear on an agenda for approval.

In an attempt to move the agenda forward, Chair Croley asked Commissioner Hinson if he had any problems with the minutes other than the untimely approval.

Commissioner Hinson stated he was trying to be as transparent as possible, but also be helpful to the Clerk to ultimately improve the turn around time.

**UPON MOTION OF COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE MINUTES OF NOVEMBER 20, 2012.**

**6. Ratification of Approval to Pay County Bills**

Commissioner Hinson asked how the Board could approve what was not in the agenda packet for their review.

Clerk Thomas explained that his finance department prints a warrant register and sends it to the county administrator's office to get signatures of at least three commissioners so as to expedite getting the county bills paid timely. He explained that the register lists the name of every vendor paid and the amount of every check. What appears on the agenda simply ratifies their earlier

approval when the three commissioners signed the register. He further explained that before it was handled in this fashion, all the warrants and checks were brought to the meeting to be approved. Each one was approved one by one. He said if they wanted to go back to that system, it could be done, but it would mean a long delay in paying the bills, which in turn, would bring outcries from the vendors.

Chair Croley clarified that the registers were placed on the table in the BCC room so that when the Commissioners pick up their mail, the register is convenient for their review. The agenda item was merely approving what three (3) commissioners had signed off on.

**A MOTION WAS MADE BY COMMISSIONER HINSON AND SECONDED BY COMMISSIONER HOLT TO RATIFY THE APPROVAL TO PAY THE COUNTY BILLS. DISCUSSION FOLLOWED.**

Commissioner Holt stated Commissioner Hinson had a point and asked if it were possible for the warrant registers to appear to be available online.

Clerk Thomas explained the actual line-item budget was on line on his website but the actual bills were not on-line.

**THE BOARD VOTED 4-0 BY VOICE VOTE IN FAVOR OF THE MOTION STATED ABOVE.**

**9. Approval of Task Order Number 2013-130 Authorizing Preble Rish Engineering to Perform Engineering Services for the Woodward Road Resurfacing Grant Project (Task Order 2013-130)**

Commissioner Hinson said he spoke with Mr. Presnell about this item because he was curious about this particular project was assigned to the vendor without going through the bidding process.

Mr. Presnell explained that the county is currently engaged in a three-year contract with Preble-Rish Engineers that resulted from an advertised bid, which was awarded and approved by the BOCC. He added that approximately one year remains on the awarded contract. He went on to explain that when the county has a project that requires engineering, they issue a task order (approved by the board) to the contracted engineer to do the necessary engineering for the project. When the current contract expires, the county will again advertise a bid for engineering services.

Commissioner Taylor stated she was glad Commissioner Hinson had pulled this matter because she had issues with it as well. She said that in her tenure as a county commissioner, she had observed that most of the projects that are ultimately awarded and funded are generally from either District 2 or District 3. It appeared to her as though the road project selection process was unfair to the other three districts. For that reason, she stated that she would not vote in favor of the two projects on this meeting's agenda.

Commissioner Hinson asked Commissioner Taylor why she opposed this matter.

Commissioner Taylor stated that there are five districts in the county, but most of the road improvement projects seem to happen in those two districts.

Commissioner Holt asked what districts were having the work done.

Mr. Presnell responded the districts were districts 2 and 3.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 3-1 BY VOICE VOTE TO APPROVE ITEM 9 -TASK ORDER NUMBER 2013-130 AUTHORIZING PREBLE RISH ENGINEERING TO PERFORM ENGINEERING SERVICES FOR THE WOODWARD ROAD RESURFACING GRANT PROJECT COMMISSIONER TAYLOR OPPOSED THE MOTION.**

**10. Approval of Task Order Number 2013-129 Authorizing Preble Rish Engineering to Perform Engineering Services for the Flat Creek Road Resurfacing Grant Project**

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 3-1 BY VOICE VOTE TO APPROVE ITEM 10 AS NAMED ABOVE. COMMISSIONER TAYLOR OPPOSED THE MOTION.**

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

There were no citizens requesting to be heard.

**PUBLIC HEARINGS**

**11. Public Hearing-Board Approval of BB&T Bank's Loan Proposal and Ordinance to Refinance the County's Sales Tax Revenue Refunding Bonds, Series 2010 (Gadsden Memorial Hospital Project)**

Chair Croley introduced the above stated item and declared it a public hearing.

Mr. Presnell introduced Mr. Gollahon.

**Jim Gollahon, Gollahon Financial Services, Inc., 4125 Bayshore Blvd., N.E., St. Petersburg, FL 33703**, appeared before the Board, explained the bond and recommended proceeding with the bond issue.

Chair Croley asked if there was anyone who wished to speak for or against the bond item. No one from the public responded.

Commissioner Hinson stated he had looked over the contract and asked to clarify that the number of years would remain the same, but at a lower interest rate.

Mr. Gollahon responded affirmatively.

Commissioner Holt asked the board when they would look at where the savings would be redirected. No one responded.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE ORDINANCE AND RESOLUTION GRANTING**

**THE AUTHORITY TO REFINANCE THE BOND AS DESCRIBED ABOVE AND IN THE ATTACHMENT  
AND PROCEED WITH LOAN CLOSING.**

**12. Public Hearing-Conceptual/Preliminary Site Plan with Special Exception for the Lynn's Liquor Store (SE-2012-01) (Tax Parcel Identification #3-13-2N-2W-0000-00322-0400)**

Chair Croley stated this matter was a *quasi-judicial hearing* and as such, all witnesses must be sworn as to their testimony.

Deputy Clerk Marcella Blocker administered an oath to Growth Management Director Anthony Matheny who appeared before the Board.

Mr. Matheny:

"Good evening Commissioners. This first item is your consideration of Lynn's Liquor Store. This is an existing store and you've got a location map in your packet that shows you where it's located. They are already selling everything that a convenience store sells and, I believe beer and wine. They want to be able to serve liquor there, ah, sell liquor not serve it there, I'm sorry, you can't stay on the premises and drink the liquor. Just like you can't the beer or the wine. They have met, ah, I'm going to give you the summary and then I will answer specific questions. They have met all requirements under the Land Development Code. Some of the more stringent requirements are separation in distance from playgrounds, schools, churches, they had to be 1000 feet from any of those facilities and we have verified that for a second time yesterday afternoon that they were both from parcel lines and from the door to door, which is the measurement that the Code says we use. They have met the separation requirements. The Citizens' Bill of Rights, they were required as a special exception to hold the Citizens' Bill of Rights meeting, they did that. They did have some people object. I think in your packets they list about 5 names, if you've seen those that objected to the liquor store going in. They did mail out within a half mile distance as they were required to do. We mailed out notices within 1000 feet, which is what our land development code says we must do in our department. So, there were 2 mail-outs-one is half a mile and one is 1000 feet. They have met all the other requirements and it is up to you to decide whether or not this is a good use for the County and whether it makes sense to you. Will be happy to answer any questions."

Chair Croley:

"Before you do that, let's call for any public comments, so if you will hold Mr. Matheny. Is there anyone present who wishes to speak for or against this item? Please come forward. Now, we have Mr. Hughes. We have your speaker form, so if you would like to come up."

Joe Hughes:

"I'm really here just to answer any questions. I held the public meeting, so..."

Chair Croley:

"Do you want to be sworn in so that you can answer those questions?"

Joe Hughes:

"I've never been sworn in as an attorney but I don't mind."

Chair Croley:

"Please come forward and Ms. Minnis..."

Deputy Clerk Marcella Blocker:

"Do you swear or affirm that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth?"

Joe Hughes:

"I do."

Chair Croley:

"Do you want to, ah, did you say you wanted to make a statement about the meeting?"

Joe Hughes:

"No, but I'm here to answer any questions."

Chair Croley:

"Yes sir, alright Mr. Hughes. Is there anyone else who wishes to speak on this item?"

Cathy Anderson came forward.

Chair Croley:

"You will, of course, please state your name and address and be sworn in."

Cathy Anderson:

"Cathy Anderson, 17767 Blue Star Highway, Quincy, FL. I just want to know where the liquor store..."

Chair Croley:

"Let her swear you in."

Deputy Clerk Marcella Blocker:

"Raise your right hand. Do you swear or affirm that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth?"

Mrs. Anderson:

"Yes, but I'm asking a question."

Chair Croley:

"Yes ma'am, we understand, but we want to make sure we keep the record straight. Please, Ms. Anderson, now your question."

Mrs. Anderson:

"I just wanted to find out where Lynn's Liquor Store is, what location,"

Chair Croley:

"Mr. Matheny, do you want to give the address, or Mr. Hughes?"

Mr. Hughes stood and started to speak.

Chair Croley:

"Please come forward. You've got to speak at the podium."

Mr. Hughes:

"I can't, I don't know the actual street address, and it's on 27 North, approximately 3-4 miles north of the county line. I can tell you the relationships to different stores. There is a car lot next door; it's been that, Lynn's Country Store has been there literally for some time. I think 10 years or so."

Chair Croley:

"We don't have a 911 address in here?" (Looking through the packet.)

Mr. Presnell:

"1437."

Mr. Hughes:

"1437 sounds right."

Commissioner Hinson started to speak.

Chair Croley:

"Wait, wait, wait, Mr. Hinson, right now we are entertaining the public testimony and evidence. We can't, we don't say anything until they get done. OK, does that answer your question?"

Mrs. Anderson: (from back of room)

"Yes it did, thank you."

Chair Croley:

"OK, now, I believe Mr. Clayton, you had your hand up. Please come forward. State your name and residence and be sworn in"

Larry Clayton:

"You want my post office box or..."

Chair Croley:

"Whatever."

Mr. Clayton:

"Larry Clayton, Post Office Box 704, Havana, FL. Ah..."

Deputy Clerk Marcella Blocker:

"Raise your right hand, please. Do you swear or affirm that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth?"

Mr. Clayton:

"Yes. I don't own any property close to that. I will tell you I have looked at the mobile home park adjacent to it. (Turning to Mr. Hughes) Your name sir?"



Mr. Hughes: (responded from his Chair)

"Joe Hughes."

Mr. Clayton:

"OK, what is between the car lot and the store is a mobile home park. It literally butts up. There is 7½-8 acres there. There are 17 lots if I remember correctly in that mobile home park. The question I would address to the County Commissioners, would you want a liquor store next to your house? Because that's what it is literally. It butts right up to it and the way that acreage lays out, it lays out around behind that store he's talking about, Lynn's Country Store. On the south side of that, you have what use to be Cherry's Awning and you also have Florida Rock, which is closed down now, to the best of my knowledge it's closed. But when you start changing Planning and Zoning, don't just think about this particular instance, but what's going to come up next, what's the next change that's going to come up and again, I would ask you, because I don't want a liquor store next to any property that I would own nor do I want a liquor store next to any house that I would live in. That's all I have to say. Thank you."

Chair Croley:

"OK, (talking to Mr. Hughes) you have the opportunity to respond."

Mr. Hughes:

"I don't know how to respond to that. Beer and wine is presently being sold from the property. This, the liquor store is a use of a permit that has been approved for Gadsden County; it has been out for some time. If there is a better place to place a liquor store, this is out in the very rural situation. There are, as this gentleman says, some people that live near-by but they're well outside of any sort of ordinance restrictions. Again, I don't know of any reason that this wouldn't put to use a valid license that this gentleman has, put people to work."

Chair Croley:

"OK, any other comments from the public?"

Mr. Clayton:(from his seat)

"Yes sir, I would challenge..."

Chair Croley:

"Come up Mr. Clayton, to this podium. You have to come to the podium to make a response."

Mr. Clayton:

"Where, the question, where's the liquor store going to be? Physically, where's the liquor store going to be?" (Looking at Mr. Hughes)

Chair Croley:

"Wait a minute, you have to direct your..."

Mr. Clayton:

"Physically, where's the liquor store going to be?"

Chair Croley:

"It is at the, you can respond (talking to Mr. Hughes), but we don't want to get into any arguments

back and forth. You can give the street address.”

Mr. Hughes:

“I’m not here to argue. It’s 4...I’m not really sure of the street, I can look it up in my file.”

Mr. Presnell:

“1437.”

Chair Croley

“1437.”

Mr. Hughes:

“1437 is presently a convenience store, gas station that sells your typical items at that location. What is planned is a partition of that location where one side will be dedicated to a package goods store; the other side would continue to be a convenience store.

Chair Croley

“Mr. Clayton, he’s answered what he can, if you have a statement for the commission, you can express it.”

Mr. Clayton:

“I do not believe from the front door of Lynn’s Country Store that it’s a 1000 foot to the next mobile home. There is a diesel pump just north of that store on the same property and less than 100 feet, I haven’t measured it, just a guess, there is an end of a mobile home that sets behind that diesel pump. They come and go from that mobile home park to that store. I mean, I don’t have any property there, but I have considered that mobile home park. I just, I don’t believe there is 1000 foot of variance there. I don’t believe it.”

Chair Croley:

“We appreciate that. Now, Mr. Matheny, you, if you would like to respond to this concern and then we will move on.”

Mr. Matheny:

“The liquor store is not required to be 1000 feet from a residential unit, it’s just the schools, playgrounds or churches and it does meet the requirements.”

Chair Croley:

“Now, thank you. Is there anyone else from the public that wishes to speak about this item before we close and go to the commissioners? Hearing none, now, Commissioner Hinson, this is in your district, so, I’m deferring to you for any questions that you may have.”

Commissioner Hinson:

“Yes, I had a few concerns. Morally, I’m completely against liquor stores coming into the community. I asked questions, I talked to Mr. Matheny, a few things we talked about, I asked questions did it meet requirements under the Land Development Code, he said yes, then the separation requirements that he talked about, met that too as well, then they had the meeting of Citizens’ Rights and we talked about that as well. From my understanding, they are near, less than half a mile from 270.

Mr. Matheny:

"I'd have to look through the packet."

Commissioner Hinson:

"It's really..."

Chair Croley:

"What was your questions again, Sir?"

Commissioner Hinson:

"It's almost like half a mile from 270."

Chair Croley

"I would say, Shady Rest Road probably would be somewhere in that neighborhood."

Mr. Matheny:

"I'm not positive about that."

Chair Croley:

"He can't give you anything he doesn't know as factually being true."

Commissioner Hinson:

"You have a Texaco station that's across the street, as well as another convenience store across the street. Those are some of the concerns that I have."

Chair Croley:

"OK, any other questions? Any other Commissioners with a question? OK, I'm going to ask you a couple of questions, Mr. Matheny. First of all, and maybe Mr. Hughes could help answer this as well. Are there any other liquor stores within, ah, between Havana and the county line?"

Mr. Matheny:

"I do believe there are some but I don't, didn't come with that information tonight about how many liquor stores and where."

Chair Croley:

"I don't believe there are, so I think this would be the only one between South Havana and the river. OK."

Mr. Matheny:

"Like I said, it's just a guess on my part. I hadn't researched that."

Mr. Hughes:

"I'm not sure if the Corner Bar has a package facility. It looks like it does but I don't go in bars."

Chair Croley:

"OK, so we've got another one up the road. Commissioner, ah, Mr. Chapman, could you pull the map up between the proposed liquor store site and the Corner Bar it's called?"

Charles Chapman:

"It would take me a few minutes."

Chair Croley:

"I don't suppose it's on there. OK, we'll skip with that and the final question; I believe you said according to your write-up here, 22 residents attended the meeting that was hosted by Mr. Hughes. Is that correct?"

Mr. Matheny:

"If that's what's in the report, that's accurate."

Chair Croley:

"OK, you had 22 people come to your community meeting and I believe you said there were 5 that expressed concerns but your write-up says there was something about a school bus stop."

Mr. Hughes:

"One gentleman at the meeting believed that a school bus stopped close to that property. Now he wasn't real sure where it was but I did note his remarks and put them in my minutes."

Chair Croley:

"OK, alright, I'm concerned about the school bus stop if it is indeed one there. Did you check with the school board to see?"

Mr. Hughes:

"I didn't personally, I don't, again I'm not sure what he was talking about. I believe the school bus may stop up at the place where this gentleman was talking about, there is a community up there of mobile homes."

Chair Croley:

"There was a school there in that vicinity. I was just trying to understand and you checked and you determined that it was not within 1000 feet of the site?"

Mr. Matheny:

"We doubled checked."

Chair Croley:

"Alright, well, those are my only comments and questions. Anything else Commissioners?"

Commissioner Taylor:

"Mr. Matheny, the Planning and Zoning gave approval for this? "

Mr. Matheny:

"Correct."

Commissioner Taylor

"And, Bill of Rights, were there 22 citizens there, actual residents of that area?"

Mr. Matheny:

"I don't know, this gentleman would have to answer that."

Commissioner Taylor:

"Did you collect addresses for that area?"

Mr. Hughes:

"There was, I believe, 22 people that signed the form that we prepared. It was about 50/50 on being in favor of the store and opposed. There were 5 that specifically had some reasons that they put down that I noted."

Commissioner Taylor:

"I'm sorry, 50% were in favor and 50% were against?"

Mr. Hughes:

"I would say, roughly speaking, that's about what my impression of the meeting was."

Commissioner Taylor:

"And then there were 5 with actual issues?"

Mr. Hughes:

"That came forward and gave me reasons why they thought, for example, one gentleman said he thought a school bus stopped close to this property. There was one lady that attended a church that was a ways away that was concerned about it."

Commissioner Taylor:

"Let me ask the attorney a question just for a moment please. This particular situation kind of butts up to what happened with the Patels?"

Ms. Minnis:

"That's correct."

Commissioner Taylor:

"Realizing that the minutes from that meeting was pretty much all we had when we had to fight that item."

Ms. Minnis:

"Correct."

Commissioner Taylor:

"So, this particular meeting now we're facing something similar where Planning and Zoning has given approval, they have gone through all of what our policy and procedures are requested, they've made it past that horizon, but I'm noticing, here's where my quagmire is, is that 50% of the citizens has said no. I want to protect us going forward if we do vote this down, that the right language is expressed tonight. That we don't find ourselves in litigation trying to, ah, position our outcome tonight. Because I don't see me moving this, not with 50% of the citizens saying no. That's just my opinion. I'm now leading to the attorney."

Mr. Hughes:

"I understand, but this is a meeting of 22 people that came forward. When I say 50/50, that would be as few as 10 people.

Commissioner Taylor:

"I understand, but that's what we have to go by."

Chair Croley:

"The attorney has a comment to make."

Commissioner Taylor:

"Mr. Croley, let me say this, and I can appreciate you wanting to move the meeting, but we do need time to kind of get our thoughts out and then have it moved on, so, go ahead" (to Ms. Minnis).

Ms. Minnis:

"I just wanted to, while you are considering what you are going to do, to remind you of what the evidentiary requirements are in these kinds of proceedings according to your ordinances and the law, you have to have competent, substantial evidence. The Court upheld that citizens do have the right to express their opinions but that evidence alone is not enough to amount to legally competent substantial evidence. Had they come forward with experts or other evidence, documented evidence that could be presented to you it would give you the information that you would need. But, to simply object to it being there, the Courts have held that that's not enough to deny the petition or the special exception if they have otherwise met the requirements under the land use code and the comprehensive plan. They understand that the citizens have concerns but the Courts have spoken in that sense."

Commissioner Taylor:

"With that being said, thank you for the clarity, out of the 5 citizens that had documented issues, what were they?"

Mr. Hughes:

"They are noted in the report. Again, I brought up the matter of the gentleman that thought the school bus was close. The Riverside Baptist Church, the lady from that particular church appeared and said that the site was too close. There was some discussion about potential tax dollars generated by the store and one gentleman, as I remember, objected because he didn't think the particular agenda of the county had been done correctly and I didn't, I tried to talk with him about it, but I didn't know what his problem was with it. It looks to me like everything's been done correctly, so..."

Commissioner Taylor:

"Thank you, that's it."

Chair Croley:

"Thank you Commissioner Taylor and the only reason I was trying to recognize the attorney, she had her hand up to comment on what you were saying. Commissioner Holt, did you have something that you wanted to share?"

Commissioner Holt:

"Yes, thank you. But we should have gone was definitely to the legal, ah, that's why I keep begging for and still do-comp review. We've got to review that comp plan, I've been at it about 6 years now and that's the problem. I can't say it enough. We are not here debating whether we are breaking the law, you are within the law and that's the problem. We didn't look at the County and see where to put places at and see what we need to do. So, it's neither the property owners fault, it's neither the neighbors fault. It is a fault of the County itself. That includes the citizens and property owners because it's how we vote that determines what that map looks like. So, ah, you are putting yourself in a situation if you don't approve it because they are following how our book says and I have a comment on that at the end of the night because I just, we just met on an issue in Tallahassee, same thing. So, ah, Commissioners, we have to look at it and if the property owner's done everything they are supposed to do, whether we like it or not, we have it in writing that they can do it. So, we need to go ahead and do what we need to do and sit down as quickly as possible and look at that book."

Chair Croley:

"All right now, Commissioners, we've, everybody's had a chance to ask their questions and make a comment. Now, would you Madam Attorney, because of the nature of this, explain in summary real quick, what it's going to take to pass it or what we need to do in terms of votes."

Ms. Minnis:

"Basically, since it is a special exception under the Citizens Bill of Rights, it does require a super majority vote for approval, but again, I would indicate to you that in order to deny this particular item, there has to be (shuffle of papers...inaudible)substantial evidence presented to you that it somehow violates for a land use code in your ordinances and the information that you have before you indicates that with the condition that the Planning and Zoning has required and that the property owner has agreed to comply with, the finding of the Planning and Zoning is that with those conditions, it meets with the requirements under your code."

Commissioner Holt:

"Mr. Chairman, may I ask you a question. Super majority vote of the ones that are present because we are missing a Commissioner."

Ms. Minnis:

"It says super majority of the BOCC."

Commissioner Holt:

"Well, that's why our attendance policy is in question."

Chair Croley:

"We will, we'll be able to get to that..."

Commissioner Holt:

"Commissioners should be here, I'm going to get to it."

Chair Croley:

"Let me ask one final question; is this a package sell only?"

Mr. Hughes:

“Yes.

Chair Croley:

OK so, it’s not a drive-thru, no liquor by the drink, OK, and based upon what you’ve told me, there’s not another liquor store within a mile because the other ones, even the Corner Bar is more than a mile away.”

Mr. Hughes:

“The closest liquor store is in Leon County.”

Chair Croley:

“OK, fine, thanks, that’s good. OK, Commissioners, I will entertain a motion for, and remember what the attorney said; we must, we don’t have much lead way here.”

Commissioner Hinson:

“Personally, I talked to Robert the other day (inaudible) going to shut it down, there’s no reason to do this, honestly, but in Havana we also have one, the City of Havana, City of Havana, we have one a little bit further going on (inaudible) North of (inaudible) as well, so that’s one of the reasons I was going to shut it down. But because of legal situations, because of legal situations, **unfortunately I’m going to approve, motion to approve.**”

Commissioner Holt:

“Second.”

Chair Croley:

**“OK, we’ve got a motion to approve and a proper second. All in favor of the item please signify by saying aye (Chair Croley said aye), all opposed? Motion passes unanimously; the license/variance is approved.**

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**13. First Public Hearing-Ordinance to Revise Subsections 5003.B(5) and 5003.B(6) Non-Conforming Uses of the Land Development Code**

Chair Croley introduced the above named item.

County Administrator Robert. Presnell announced this proceeding to be a public hearing for the purpose of adopting a new ordinance, but he stated it would require another one as well. He explained the purpose of the ordinance was to clean up language in the county’s land development code so that it complies with the comprehensive plan. Among other changes, it will allow for continuing the use of non-conforming parcels for two years as opposed to one year. It also allows the land development code to match the language of the comprehensive plan. He reported that the changes were approved and recommended by the Planning and Zoning Commission.

He then asked if there were any questions.



Chair Croley asked if there were any comments from public and there was none.

Mr. Matheny stated this language was already in the comprehensive plan and the change to the land development code will simply match the comprehensive plan by changing the time limit to 2 years.

Commissioner Holt stated the recommendation from the Planning Commission was advisory only and that she thought it should be 3 years because of time frames.

Commissioner Taylor agreed with Commissioner Holt, but asked what would be the drawback in going with 3 years instead of 2, if any.

Mr. Matheny stated he did not see problem with it, the economy was so slow and so bad, the more time given to someone to re-open a closed down business would help create jobs and keep tax revenue coming into the county.

Chair Croley stated he had no problem with bringing the two codes into sync with each other.

**Commissioner Holt moved to allow 3 years for non-conforming, non-residential use to continue.**

Chair Croley asked, for clarification, it makes no difference about non-conforming commercial use.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE OPTION ONE – APPROVAL OF THE FIRST READING OF THE ORDINANCE AUTHORIZING AN AMENDMENT TO THE GADSDEN COUNTY LAND DEVELOPMENT CODE TO BE CONSISTENT WITH THE Policy 1.5.1 OF THE FUTURE LAND USE ELEMENT OF THE GADSDEN COUNTY COMPREHENSIVE PLAN BY REMOVING THE FOLLOWING LANGUAGE “Non-conforming non-residential uses shall not be grandfathered beyond the term of the existing ownership” AND APPROVE A TEXT AMENDMENT TO SUBSECTION 5003.B(6) EXTENDING THE TIME BEFORE A NON-RESIDENTIAL USE IS DETERMINED DISCONTINUED TO THREE (3) YEARS..**

**14. First Public Hearing-Ordinance to Amend Subsection 2101 of the Gadsden County Land Development Code (LDC) Clarifying Facilities Permitted as Accessory Uses**

Chair Croley read the title of the above stated item and Mr. Presnell summarized that the ordinance would clarify that bathroom facilities are permitted in approved accessory uses or structure provided that they do not become an ipso facto (inevitable result) dwelling unit.

Chair Croley called for public comments and there was none.

**A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECONDED BY COMMISSIONER HOLT, TO APPROVE THE FIRST READING OF THE ORDINANCE DESCRIBED ABOVE AND IN THE ATTACHED AGENDA REPORT.**

**BEFORE VOTE WAS TAKEN THE BOARD HAD DISCUSSION.**

Chair Croley have no problem with this being in agriculture and commercial but he had a problem

when it came to residential.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE OPTION ONE- APPROVAL OF THE FIRST READING OF PROPOSED ORDINANCE FOR A TEXT AMENDMENT AMENDING SUBSECTION 2101 OF THE GADSDEN COUNTY LAND DEVELOPMENT CODE TO CLARIFY THAT BATHROOM FACILITIES ARE PERMITTED IN APPROVED ACCESSORY USES OR STRUCTURES.**

**15. First Public Hearing-Ordinance to Revise Subsections 5605 Standards for Sidewalks, Pedways, Bicycle Facilities of the Gadsden County Land Development Code and Add Subsection 5605.5.D Sidewalk Fee-in-Lieu Provisions**

Chair Croley introduced Item 15 and Mr. Presnell summarized it by stating “It would apply to the rural areas, but, it would not apply to a Wal-Mart, a planned unit development, or a strip-mall. The intent was with the small business owners coming in, if someone wanted to open a small store, right now they are required to pour a sidewalk from land line to land line whatever the frontage on the lot is. They are proposing under certain circumstances to allow the payment of a fee in lieu of providing sidewalks. That fee would be held in the fund with the Clerk of Courts, similar to the boat ramp monies collected, and at some point the money would accumulate to a sum that the county could have a viable sidewalk project somewhere that could serve a lot of people. He added this would grant some relief to people trying to open small businesses and it would serve the citizens better.”

Chair Croley called for public comments and there was none.

Commissioner Holt stated that she wanted to make sure that the person knew they were paying a fee “in lieu of”.

Commissioner Hinson stated when there were developments; they should require sidewalks for large commercial developments.

Mr. Matheny directed him to the agenda report for this ordinance and attachment 3, which sets out the types of uses with standards and specifications.

Commissioner Hinson stated that in an effort to enhance the community, churches should be required to have sidewalks.

Chair Croley shared some thoughts and stated the commission is often faced with trying to raise money for sidewalk projects, but he pointed out that a portion of the gas tax goes for that purpose. He asked that they look at it.

Commissioner Holt stated she had no problem with requiring a person to pay a fee in lieu of building a sidewalk if the property was way out in the country where there would be no neighbor for 10 miles. However, if it were a commercial development coming into the county, she would be opposed to giving a developer a free pass.

Chair Croley stated he didn’t think it was right to ask rural churches out in the country to be required to pay or put in a sidewalk that would go nowhere and would be of no benefit to anyone.

Commissioner Taylor asked if this was for development only going forward. She stated her opinion was it should be a case by case decision. She stated she was very appreciative to see the pro-active administration getting some of the land-use issues resolved.

Mr. Clayton came forward and said he had a little trouble understanding what they were proposing and he asked for some clarification. He suggested that there would be no need for a sidewalk outside of an urbanized area. He then asked if he bought vacant land between two existing businesses that had no sidewalk, would he then be required to put in a sidewalk when the businesses on either side of him had no sidewalk.

Chair Croley said that what he was trying to explain was they could not get the money from DOT to fund sidewalks on these roads if there was no requirement that people build the sidewalks when they were building their building. He added that ideally, every one of the businesses should have had sidewalks in place to provide a safe place to walk. He further added if they had a provision to allow people to buy-out, no sidewalks would ever be built. He went on to say that sidewalks should be required if it is in an area that should have sidewalks, but they should not be required in areas where it doesn't make sense.

Mr. Presnell stated if the area was zoned commercial, there would be no choice; it was required in all commercial zoned areas.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 3-1 FOR APPROVAL OF OPTION 1. CHAIR CROLEY OPPOSED.**

#### **GENERAL BUSINESS**

##### **16. Adoption of 2013 Legislative Program**

Chair Croley referenced the attached 2013 Legislative Program and asked if the commissioners had questions or comments.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 FOR APPROVAL OF THE LEGISLATIVE PROGRAM AS PRINTED.**

#### **COUNTY ADMINISTRATOR**

##### **17. Update on Board Requests**

Mr. Presnell had nothing to report.

#### **COUNTY ATTORNEY**

##### **18. Update on Various Legal Issues**

Ms. Minnis stated reported there would be a meeting with the consultant on Thursday concerning the re-districting of the current voting districts.

Commissioner Hinson asked what the percentage of change in population was needed was to

trigger the need to make changes.

Attorney Minnis responded that the law requires that the districts be “looked at” and redistricting “be considered” every 10 years. It doesn’t necessarily mean that the district lines must change.

#### **DISCUSSION ITEMS BY COMMISSIONERS**

##### **19.**

##### **Commissioner Morgan, District 3-District Concerns**

Commissioner Morgan was not present.

##### **Commissioner Holt, District 4-County Concerns**

Absences by Commissioners

Commissioner Holt asked to the board to look into the policies and procedures concerning absenteeism by a commissioner. She noted that in recent years, it has been the practice of an absent commissioner to call into the meetings and appear by telephone.

Chair Croley acknowledged that her points were well taken and he had looked through the Board’s policy and procedures book to find answers.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-0 TO ADD REVIEWING THE RULES OF PROCEDURE TO THE AGENDA TO BE REVIEWED WITHIN A COUPLE OF MONTHS.**

Chair Croley reminded them that Gadsden is a constitutional county, not a charter county or a municipality. As an elected constitutional officer, a commissioner could not easily be removed.

##### **Placing Items on the Agenda**

Commissioner Holt stated that when she first came into office, the agenda was distributed on Friday before the board meeting the following Tuesday. As a new commissioner, three days was not adequate time to study the agenda and make informed decisions about the issues they would be asked to approve. The purpose of setting a cut-off date for new agenda items two weeks in advance was to make certain that the commissioners would have ample time to apprise themselves of the issues and do some research into those matters they did not understand. She explained that developers were coming into to the county wanting their projects to be approved quickly. The early cut-off had served them well in that it does lend itself to a more informed commission.

Chair Croley stated he appreciated her point, but now they were going strictly by procedures set out by ordinance.

##### **Septic Tank Inspection Mandate**

Commissioner Holt reported that Wakulla County presented a proposal to Apalachee Regional

Planning Council that could allow a county to opt out of the septic tank requirement until financing was made available.

**Commissioner Taylor, District 5-No Items**

**Adding Items to an Agenda**

Commissioner Taylor asked the attorney and the board to look into changing the language of the “Policy and Procedures for conducting the BCC meetings to allow agendas to be amended by a “majority” vote rather than “By the Commission as a whole.” **UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 TO REVIEW LANGUAGE OF PROVISION OF ADDING ITEMS TO THE AGENDA.**

**Interim Period by Which County Personnel Could Serve in a Position**

Commissioner Taylor asked to agenda an item for discussion regarding setting a limit to the length of time county personnel could serve on an interim basis.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 TO ADD FOR DISCUSSION A REVIEW OF LANGUAGE FOR LENGTH OF TIME FOR INTERIM ADMINISTRATOR.**

Commissioner Taylor commended Mr. Presnell and the Board on looking at future land use map and related issues. She also commended Commissioner Holt for her insistence to that end. She stated that she felt the staff and the board was doing a good job in that regard.

**Contracts and the Bid Process**

She also mentioned the need to look at contracts that were being put out for bids. She wanted assurances that none should be cherry-picked and they should all should be put out for bid.

**Commissioner Hinson, Vice Chairman, District 1-County Concerns**

Commissioner Hinson agreed with the need to bid out everything.

**Commissioner Croley, Chairman, District 2-Report and Discussion on Public Issues and Concerns Pertaining to Commission District 2 and Gadsden County**

Chair Croley thanked everyone and wanted to encourage the commission to move forward.

He gave a report on CRTPA and he named roads that were introduced for consideration of the widening effort that had been done on other roads and mentioned the only roads that the monies are eligible for are the old state road systems and they were given consideration based on safety, traffic volume, number of accidents and so on and he named several roads that were eligible.

He mentioned other issues related to municipalities and their requests on getting lighting around the I-10 interchange in connection with the casino and future development. He also mentioned that Florida Highway Patrol had contacted him and they are in support of special attention and

expressed concern about the High Bridge Road bridge because of the number of accidents that had taken place there.

Chair Croley mentioned the matter of the economic opportunity grant and asked to have it placed on the next agenda for consent since there had been time to review it in proper fashion.

He also mentioned that the County had gotten the additional funding for the next phase of the Quincy by-pass and that Department of Transportation was now looking to move forward with the project. The Chair further mentioned there had been problems in getting asphalt millings from DOT and the millings had been very important around the county for maintenance around the county around the driveways, mailboxes, etc., and the DOT is now allowing the contractors to take the asphalt millings to offset their re-surfacing costs and not making the millings available to local government. One reason they cited was asphalt millings were being improperly used in other counties. He added while there was no written policy, the CRTPA was attempting to enter into an Interlocal agreement with DOT and CRTPA staff was working on that matter.

**RECEIPT AND FILE**

20.

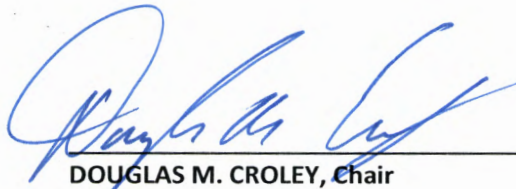
- a. For the Record: Community Development Block Grant (CDBG)-Crawfish Island, Disaster Recovery 10DB-K4-02-30-01-K13 –Request for Extension granted by DEO Modification # 2
- b. For the Record: County Officials State, "Gadsden County is Open for Improved Business in 2013"

**FEBRUARY MEETING(S)**

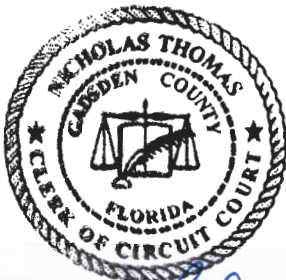
- February 19, 2013, Workshop/Special Meeting, 4:30 p.m.
- February 19, 2013, Regular Meeting, 6:00 p.m.

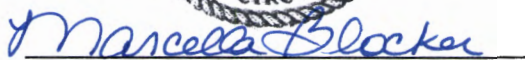
**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 8:54 P.M.

  
DOUGLAS M. CROLEY, Chair

ATTEST:



  
Marcella Blocker, Deputy Clerk

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON FEBRUARY 19, 2013, AT 6:00  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ.**

Present: Doug Croley-District 2, Chairman  
Eric Hinson-District 1, Vice-Chairman  
Gene Morgan-District 3  
Brenda Holt-District 4  
Sherrie Taylor-District 5  
David Weiss, Assistant County Attorney  
Robert Presnell, County Administrator  
Marcella Blocker, Deputy Clerk  
Beryl H. Wood, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to order at 6:02 p.m. and opened the meeting with a prayer and the pledge of allegiance to the U.S. Flag.

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Croley asked if there were any amendments to the agenda and there were none.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD  
VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA.**

**AWARDS, PRESENTATION AND APPEARANCES**

There were no awards, presentations or appearances.

**CLERK OF COURTS**

**1. County Finance and County Clerk Issues**

Clerk Thomas was not present, but there were no report or issues on the agenda.

**CONSENT**

*Commissioner Holt appeared at this juncture of the meeting.*

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD  
VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS PRINTED. (ITEMS 2 – 8)**

**2. Approval of Minutes**

-December 4, 2012 - Regular Meeting

-December 18, 2012 - Regular Meeting  
-January 15, 2013 – Regular Meeting

**3. Ratification of Approval to Pay County Bills**

- 4. Approval of EMS Consultants 2013 Annual Support Agreement (No bid required - a sole source contract) \$3,000 annual installment for period April 1, 2013 – March 31, 2012**
- 5. Approval of Grant Funding and Program from Department of Economic Opportunity (DEO) for Technical Assistance and Authorization for Board to Execute The Grant and Approve Task Order to Preble Rish Project No.: 2012-1)**

This grant is to avail technical assistance to a variety of planning projects. There was no county match required. The tasks include the following: Creation of an existing land use map, update the Future Land Use Map, and create a draft strategic economic development plan for the four I-10 interchanges in Gadsden County.

- 6. Request Approval of Letters of Agreement with James Gollahon and Bryant, Miller, Olive to Pay Expenses for the Refunding of the Sales Tax Revenue Refunding Bond, Series 2010 – Hospital Loan**

Payment of \$23,000 to James Gollahon, MBA, CPA, Financial Advisor and \$30,000 to Bryant, Miller Olive for their services.

- 7. Support Letter to Apply for National Recreation Trail Designation for the Apalachicola River Blueway Paddling Trail**

**8. WORKFORCE Plus Interlocal Agreement**

In response to the Workforce Board Accountability Act passed during the 2012 Florida Legislative Session, WORKFORCE plus board was limited to 23 members. The current membership is 34, making the amended agreement necessary.

**ITEMS PULLED FOR DISCUSSION**


No Items were pulled from the consent agenda for discussion.

**PUBLIC HEARINGS**

- 9. Public Hearing-United New Jerusalem Church of Jesus Christ Variance Request (V-2013-01) from Subsection 5611.G.1 Access of the Land Development Code (Quasi-Judicial Action)**  
**Applicant:** United New Jerusalem Church of Jesus Christ  
**Agent:** Carmen Bourgeois Green, P. E.  
**Request:** Variance from Land Development Code, Subsection 5611.G.1 - Access for Lot #2 in the Orchards of Mt. Pleasant Minor Subdivision. The variance will allow Lot # 2 to access solely onto U.S. 90 as opposed to Orchard Road.  
**Neighborhood Meeting per Planning Bill of Rights:** Meeting held on December 6, 2012  
**Planning Commission Recommendation:** 10-1 vote to recommend approval on January 24,



**2013.**

 Chair Croley introduced the above stated item.

Mr. Presnell stated this public hearing was required because they were deviating from what had originally been granted to the subdivision.

*Commissioner Hinson stepped out at this juncture of the meeting.*

Deputy Clerk Marcella Blocker administered an oath to Planning and Community Development Director Anthony Matheny, who appeared before the Board.


Mr. Matheny commented the Church had been given access through the neighborhood, but there had been a disagreement with the developer after the purchase of the property. They chose, instead of a legal route of fighting him in Court, to ask for access off of Highway 90 and he added they had received Florida Department of Transportation approval and they were only requesting a variance to their original agreement changing their ingress/egress from through the neighborhood to Highway 90 only.

Chair Croley called for any public comments and there was none.

*Commissioner Hinson returned at this juncture of the meeting.*

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION 1- , WHICH WAS TO ALLOW LOT #2 TO INGRESS/EGRESS SOLELY ONTO U.S. 90 AND ALLOW NO ACCESS ONTO ORCHARD ROAD BASED ON THE FINDINGS CONTAINED IN THE APPLICATION.**

**10. Second Public Hearing-Ordinance to Revise Subsections 5003.B(6) Non-Conforming Uses of the Land Development Code**

 Mr. Presnell introduced the above item and explained this was the second public hearing in regard to this matter and added it would allow the Land Development Code to come in line with the Comprehensive Plan with the change to three years.

Chair Croley asked for any public comment and there was none.

Chair Croley raised an issue concerning the original recommendation of one year and stated it was his opinion that two years would be a reasonable timeframe and then a variance could be granted at a later time by the Board if needed.

Commissioner Holt stated her reason for asking for three years was to allow the individual(s) adequate time to obtain financing and it would allow the new owner more time get the property back up and running.

Chair Croley asked the Administrator, "As long as the person had that business there within the past 24 months, it's just saying that they could go ahead and continue to do it, or open it up or go

forward with it, you're not denying them the right to open the business, you're just giving them a, ah, 24 month or 36 months to correct the issue."

Mr. Presnell replied, "Under the current, what we're trying to do, under the current Land Development Code it couldn't be transferred at all. You couldn't give it to a child or sell it and whatever period of time the Board chooses, it would allow for the transfer of that business and hopefully keep it open."

Commissioner Hinson stated he was in favor of three years along with Commissioner Holt and that he had talked with Mr. Presnell and asked what the pros and cons would be.

Mr. Presnell:

"The only discussion that I recall that we were having was, the longer the period was if the Code allowed for three years what if there wasn't a transfer, the possibility of the building or business sitting there, a tire store or a convenience store sitting there for period of time deteriorating because it had not been transferred and no-one was operating it, maintenance issues. That's the only con I would see with the term."

Commissioner Hinson asked what some of the pros would be.

Mr. Presnell:

"Some of the pros are, hopefully it would ah, as a matter of fact, and we had a meeting the end of last week. Country Boy's seems to keep coming up, but we have a new operator wanting to open that restaurant down at the lake right now and that's what started the discussion. In 2009 it had closed and because it was a non-conforming lot and the time limit to reopen had expired, a new business couldn't be opened there. The pros to this is any small business scattered out, whether its way out in the country or close to town, if they are in a non-conforming area and the person died or just to where they wanted to sell it, they weren't allowed to do that. It was a big issue in 2009 and the Board addressed it, but it was never followed through, the Land Development Code was never revised to address it and that's what we're trying to do now. It is to encourage business; it fits hand in hand with some more things that will be coming to this Board very soon concerning economic development."

Commissioner Hinson asked if the term changed to three years would it slow the pace or the momentum down.

Commissioner Taylor:

"I appreciate the discussion that has gone forward with regards to this. But let's stick with Country Boys. I was just there yesterday because we had an issue there and if we let it stay at two years, and I'm talking about a perfectly great restaurant, it wouldn't be able to be opened because I think it's been closed for over two years. But now, the people who are coming in there now, if we let it stay at three years, will be able to open. Then you've got another eatery, and you've seen numerous of these businesses that are in the community. Probate, financing, these things take time. All we want to do is give them a chance to open up. There is no business, no-one wants to start a business that wants to go to three years, they would rather get it open as soon as possible, because then and only then do they begin to make revenue from it. If we give them ample time to get it, is where we should be focusing. We need to have another brand for this Gadsden County. 'We're here for **YOUR** business and we are giving you as much latitude as possible to come in here."

You don't have a business, we've got one that's sitting here that is still where you can get it open and running, you've got three years to do so. Try to do it sooner so obviously you can begin generating revenue, but come in."

Chair Croley asked if there were any harm in using thirty-six months rather than the original two years.

Mr. Matheny said he didn't see it as harm, but rather as a benefit because of the economy.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION 1 APPROVAL BY ORDINANCE OF A TEXT AMENDMENT TO SUBSECTION 5003.B(5) OF THE LAND DEVELOPMENT CODE CONSISTENT WITH POLICY 1.5.1 OF THE FUTURE LAND USE ELEMENT OF THE GADSDEN COUNTY COMPREHENSIVE PLAN REMOVING THE FOLLOWING SENTENCE, "NON-CONFORMING NON-RESIDENTIAL USES SHALL NOT BE GRANDFATHERED BEYOND THE TERM ON THE EXISTING OWNERSHIP." APPROVE A TEXT AMENDMENT TO SUBSECTION 5003.B(6) EXTENDING THE TIME BEFORE A NON-RESIDENTIAL USE IS DETERMINED DISCONTINUED TO THREE (3) YEARS.**

**11. Second Public Hearing-Ordinance to Amend Subsection 2101 of the Gadsden County Land Development Code (LDC) Clarifying Facilities Permitted as Accessory Uses**



Mr. Presnell introduced the above item and stated this pertained to outbuildings, restroom facilities, fish cleaning tables, etc. and it would help in cleaning up the codes to help avoid problems individuals had run into with wanting to build barns, boatsheds, etc. and would be in violation because they wanted to put in a toilet.

Mr. Matheny stated it was a good idea to provide this relief and then there would be no ambiguity in whether they had a residential unit or just an accessory unit with a bathroom and sink where it could be used for a variety of uses but would not be used as a living unit and he added if it were discovered that they were living in the unit, they would have to stop or they would be subjected to code enforcement.

Chair Croley called for public comment and there was none.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION 1 APPROVAL BY ORDINANCE FOR A TEXT AMENDMENT CHANGING SUBSECTION 2401 OF THE GADSDEN COUNTY LAND DEVELOPMENT CODE TO CLARIFY THAT BATHROOM FACILITIES ARE PERMITTED IN APPROVED ACCESSORY USES OR STRUCTURES WITH THE EXCEPTION OF ACCESSORY USES OR STRUCTURES LOCATED IN A RURAL RESIDENTIAL LAND USE CATEGORY AND LOCATED ON A PARCEL SIZED ONE ACRE OR LESS.**

**GENERAL BUSINESS**

**12. Reappointment of Members to the County Tourist Development Council**



Mr. Presnell introduced this item and stated it was for re-appointment of three members to

the Tourist Development Council (TDC). The three members up for re-appointment were:

- Elmon Lee Garner, Chattahoochee RV Resort, Tourism Industry,
- Jeff Dubree, Whippoorwill Sportsman's Lodge, Collector of Tax, and
- Patricia Vice, West Gadsden Historical Society, Tourism Industry.

He then announced that Ms. Alca Patel, who represented the Hotel Industry, had submitted her resignation and Mr. Presnell stated he thought it would be appropriate to proceed on the agendaed item tonight and then bring the matter back before the Board at the next meeting for the appointment to fill the resigned position, which would need to be someone in the hotel industry.

**LEE GARNER, Chair, TDC**, appeared before the Board and pointed out that he thought he had been re-appointed last year and he apparently had not been and asked to let the record show if the Board chose to re-appoint him it would be retroactive to 2011.

There was discussion by the Board

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD HAD DISCUSSION BEFORE THE VOTE WAS TAKEN.**

There was further discussion by the Board. For more information concerning Board discussion, please go to the Clerk's website at [www.gadsdenclerk.com](http://www.gadsdenclerk.com) to view the audio/video recording.

**THE BOARD THEN VOTED 4-1 BY VOICE VOTE TO APPROVE OPTION 1, WHICH WAS TO RE-APPOINT LEE GARNER (RETROACTIVE TO 2011), WHOSE TERM WILL END DECEMBER 31, 2014; RE-APPOINT JEFF DUBREE WHOSE TERM WILL END DECEMBER 21, 2013 AND PATRICIA VICE, WHOSE TERM WILL END DECEMBER 31, 2013. COMMISSIONER HOLT OPPOSED.**

## **COUNTY ADMINISTRATOR**

### **13. Update on Board Requests**

#### **Tax Assessment Rolls for Quail Roost Drive and Ames-Barineau Road**



Mr. Presnell stated that Government Services were getting very close to having the Non Ad Valorem tax rolls complete for the board's directions.

#### **Brownsfields Grant**

Mr. Presnell reported that the initial assessment on the Quincy Middle School had been completed and it revealed that there were a number of issues identified as contamination on the gym and auditorium and they were recommending demolition. He went on to say there is a new grant available for the clean-up. He said the County stood a good chance at getting it to demolish the buildings and replace them with a park. He stated he would be meeting with the School Superintendent to make sure he was on board, but the grant application would have to be made by the County. He assured the board that there would be nothing "out of pocket" for the County and it would be a great project.

**Joint Meeting with City Commissioners**

He then commented they were getting closer to putting together a joint county/city commissions meeting and there was a lot of desire pertaining to economic development.

Commissioner Morgan asked if the BOCC retreat had been rescheduled. (Date to be determined later.)

**County Attorney**

**14. Update on Various Legal Issues**



Mr. Weiss said he had nothing to report.  
Policy and Procedures Progress

Commissioner Taylor stated Mrs. Minnis was given direction to revise some language regarding when an item could or could not be placed on the agenda. She asked when they could expect that to be on an agenda.

Mr. Weiss stated she had briefly spoken to him about it, but that he could not say as to when she would have the information for the Commissioners.

Commissioner Taylor also asked for a break-down of the county attorney bill.

Commissioner Holt stated that Ms. Minnis was asked to look into all of the policies and procedures, not just the placement of items on the agenda and that it should not take that much time to research.

Commissioner Hinson tried to address changing the deadline for submitting agenda items to the county administrator, but Chair Croley suggested that they address that issue later in the meeting since they were in the midst of discussing legal items.

**DISCUSSION ITEMS BY COMMISSIONERS**

**15.**

**Commissioner Morgan, District 3 - District 3 Concerns**

Commissioner Morgan stated he had nothing to report.

**Commissioner Holt, District 4 - County Concerns**



Commissioner Holt apologized for missing the workshop, but she made a commitment to get with the Administrator to get the highlights from it.

**Enterprise Zone**


She touched on the advantages and incentives that are available to businesses that locate in the Enterprise Zones. She urged the other commissioners to become familiar with what they are and

to promote those incentives with potential businesses in their districts.

### **Asphalt Millings**

She reminded the commissioners of the county's need for asphalt millings for repairing pot-holes and residential roads. She understood that they were not as available as in the past because of misuse by some counties. However, she urged the staff to continue to work with DOT and stress to them how important it is to Gadsden County.

### **Commissioner Taylor, District 5 – No Items**

 Commissioner Taylor asked staff to look into various grants, including CDBG, which might be available for building or renovating parks.

### **Citizens Bill of Rights**

She asked the board to revisit the Citizens' Bill of Rights and the impact it has had on economic development thus far.

### **Contracts and Procurement Policies**

She added that she would put in a motion to have all procurement bills, mainly legal, engineering and auditors along with all other major bills, be brought up for bid to assure that the County would get the best competitive price.

Chair Croley asked for clarification in what Commissioner Taylor was asking for.

#### **Commissioner Taylor:**

"Let me make it perfectly clear for you. I'm asking that all of the contracts that we now have with various entities, that prior to our fiscal year 2013-2014, we bid those services. That we go back out for bid and have this new Board select these providers. That is what I would like to see."

Chair Croley started to speak.

#### **Commissioner Taylor:**

"Now, now, I'm still (inaudible). I so understand and appreciate that the contracts are staggered and that the maturity of them will come at different times of the year. So, taking a legal position, a legal question I have now, is, can we entertain procurement in the month of April or May? Can we do it with all contracts regardless of the maturity dates on them? That's the question."

#### **Mr. Weiss:**

"Well, I can, if the question is directed at me I can't speak to all contracts. I think that the majority of the contracts are, probably have a 30 day notice period where either party can terminate with 30 days' notice."

#### **Commissioner Taylor:**

"So, that's what I want to do, again, only purpose is that we go out for a competitive bid, make sure the service will not be compromised, but that we get the best for our dollars."

Mr. Weiss:

“Let me clarify...that will be on a contract by contract basis.”

Chair Croley asked Mr. Presnell about the procurement policies and what he was trying to understand was there was a list of contracts, there are different procurement policies that cover those contracts and asked if they were being followed in the manner that she was suggesting by bidding the different items that were required to be bid and following the policies.

Mr.: Presnell:

“Yes, unless I misunderstood her, she mentioned three specifically and then she said ‘any other’ and I’m assuming she meant sizable. I don’t think you’re talking about pest control. But she wanted all bids and she specifically wanted legal, engineering and the auditors. She wanted bids put out for those services with the understanding that they would be, unless they had an out for a transition, we would honor those to the end of them. But I’m pretty sure all of our professional contracts have a notice on either side.”

Commissioner Taylor said she was asking that this matter be placed on the agenda for further discussion.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO HAVE PROCUREMENT CONTRACTS AND POLICIES PLACED ON THE AGENDA FOR FURTHER DISCUSSION.**

#### **Landlord Tenant Issues**

Commissioner Taylor then asked that they look into the landlord-tenant law in the County.

After some discussion, it was determined that the county had no influence in those matters and they are regulated by state and federal government. Furthermore, the fees are set at the state level as well.

#### **Family Exemptions**

She asked about the Family Exemption regarding family property be revisited.

#### **Commissioner Hinson, Vice Chairman, District 1 – County Concerns**

#### **Redistricting of Voting Districts**



He stated for the record, “My community loves me and I would never hurt their feelings and tell them that I had to abandon them and let someone else take care of them.”

#### **Cut-off Time for Submitting Agenda Items to the Administrator**

He said that it had come to his attention that the administrator has only a half day to construct an agenda under the current policy for getting the agenda prepared. He acknowledged that the

administrator does not have adequate time to construct the agenda orderly. He asked the board to consider revising the policy to allow for more time.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 TO HAVE THE AGENDA DEADLINE PLACED ON THE AGENDA FOR FURTHER DISCUSSION TO CHANGE THE DEADLINE TIME TO SEVEN DAYS.**

**Commissioner Croley, Chairman, District 2 – Report and Discussion on Public Issues and Concerns Pertaining to Commission District 2 and Gadsden County**

 Commissioner Croley passed the gavel to Commissioner Hinson and stated he had some issues that he would like to speak on that had to do with the Rules of Procedure. He stated, "The issue that has to do with these Rules of Procedure, I want to remind everyone of you that in the beginning I told you I was going to follow those straight down the line. Now, the reason being is, I'm trying to be fair to everybody and if you follow the Rules of Procedure, we will not go wrong. Now, the Rules of Procedure are County Ordinances, they're the law, and the law says what we must do up here and how we must do it. That's the law. I didn't make it up. Were things done right in the past? No. Commissioner Taylor, when I sat over there I would come in here and there would be in the beginning back when we had a different attorney and a different administrator, and there would be three and four things added to the agenda and the decision was simply made if you didn't like it, three votes were what was done and those items were added without any consideration as to what you have referenced Commissioner Hinson. It was wrong. Commissioner Lamb and I had things just thrown in front of us, it's well documented, I see the Rowans are sitting back there. They certainly remember those days as well and I'm not trying to bring them into this but I do know they were witness to what was going on. Now, here's the situation. We have Florida Statutes related to the Sunshine Law, Florida Statute 286.011 'The meetings are open to the public'. The reason you publish the agenda and there is an Attorney General's opinion to back those up. It's to give the people the opportunity to know what's going on. So if they are interested in the item, they know to be able to come to the meeting. If you don't advertise the agenda, they don't know and there is plenty of legal reason out there that they shouldn't have to sit in this meeting through all of this duration here just to know that is going on in their county government. That's why we publish the agenda. Now, I will say, and I think Administrator Presnell and I have met on this. Yes, we had a miscommunication and that communication was a little bit, it's something that we have resolved and I don't think we're going to have any problem about that in the future, we're fine. So, there's no issue between Mr. Presnell and I as far as the agenda is concerned or anything else that I'm aware of and I won't put words in your mouth but that's exactly my position. (Mr. Presnell nods.) OK, now, here's the thing. We are following the order of business trying to make sure everybody gets treated fair. When you've asked to have things on the agenda, I think you've pretty much gotten unanimous support. But here's the problem. When you come in here and item, section 245 Order of Business, Item J says Placing Items on the Agenda with the consent of the commission as a whole meaning we all have to agree that the matter be placed on the agenda and that we are able to take that issue up, that's the right thing, Because it's a protection. Because one time you may not be in the majority, Commissioner Taylor and you might not want that item being placed on the agenda without you having a chance to read it, as Commissioner Hinson said. That's unfair to you as a Commissioner. Now I'm not suggesting that Mr. Presnell intended to do anything when he put the grant matter on, but it didn't hold us up. It's on the Consent Agenda. It didn't even require any discussion, but we had a chance to read it. And the other problem is, if I had signed that grant application or acceptance and it had not been



properly advertised and someone challenged it, it could put the grant in jeopardy. So I had very good reasons for not wanting to go forward and accept that grant application in the manner, ah, in the acceptance in the way it was done, now, with it being sent out on the afternoon before the meeting. Now, I'm going to come back and say that the item of placing items on the agenda, this section in the County Ordinance is exactly the same ordinances that they have in Leon County. It's the same process that is used in the other counties. You are talking about changing a process when you say 'We're going to do it by simple majority vote'. You are going to be going against what has already been established and when you listen to what the Attorney General has written, this office, meaning the Florida Attorney General, would strongly recommend that the Commission postpone formal action on any controversial matters coming before the Board at a meeting where the public has not been given notice that such an issue will be discussed, signed by Charlie Crist, November 3, 2003. That was re-affirmed by Attorney General Pam Bondi's Office by Assistant Attorney General Joycelyn Wilson. What I'm saying to you is, the solution may be to change the ten day notice because I remind you, I don't have any leeway about that. It says 'all support information for the agenda items **WILL** be made available no later than ten business days before the regular meeting. It doesn't say may; it says **SHALL** and shall means we've got to do it. Now, if, as you say Commissioner Hinson, when that comes up and it can be shortened in the number of days, great. We can consider that, if you've got time to advertise it in the newspapers. But somebody put those ten days in there, I didn't. Somebody put this other section in there. I didn't. But I am going to follow it, as long as they are here. Now, you are going to set yourself up for running afoul of the Sunshine Laws and you are going to have legal action come about if you start changing these ordinances because they all are going to require public hearings and you are going to have to advertise them and the public is going to have to be given the right to come and comment about them. All I'm saying to you is, if it isn't broke, don't fix it. Because I don't think we're going to have a problem in the future. You've still got a right, an opportunity if an emergency comes up and I think we all have common sense enough to know when it's a bona fide emergency to take action here and it's going to be a unanimous consent to act on it. But I'm agreeing with Commissioner Hinson to come in here and have, and give up a stack of papers and expect it to be read before the meeting just does not make sense. So, as a part of that prevailing majority, and I did vote to put the item on the agenda to save us the legal expense with the attorney, I'm going to motion that we leave this section of the Code alone and not pay the money to the attorney to have that portion reviewed. I would certainly support the looking at the number of days, but I'm going to motion that the item of placing Section 2-45(J) be removed from that legal work. That's my motion and I hope I have the benefit of a second.

Commissioner Morgan:

"Mr. Chair, I understand your passion. I agree with the intent completely and I am going to second it. Sometimes your tone can come across the wrong way."

Commissioner Croley:

"I apologize."

Commissioner Morgan:

"But I do support you 100% on the message that you are trying to convey because you are exactly right and I do second it."

Commissioner Taylor:

"Let me say this because you directed a couple of comments toward me. WE write the ordinances.

They are our laws. WE can amend them at any given time. It's a problem now when there is a super majority meeting, there's a problem especially, especially with the make-up of this Board. Especially with the make-up of this Board, because it is hard-felt for us to find common ground on some of the simplest things. It is a \$35,000 grant that we were being offered so that we can enhance economic development and you didn't want to put it on the agenda. It was a \$35,000 grant that they were going to give us to come in here and do a study so that we could get the jobs, get the business, be competitive and you didn't want to see it go on the agenda. I could appreciate it where you don't have it in time enough, and you should. But this is what he (the Administrator) said when he put it out in front of us 'You've seen this, we've had the discussion, we've talked about it, you know the content of it, I now have it for you in writing.' That's what he said. This isn't anything new to you. It scares me when we can't progress, needing a super majority (vote). Folks out there depending on us to get jobs in here. It just frightens me, which is why the language should be there. The law, our ordinance, we write them. We can amend them. We're going through it right now with these, with these land changes. These are laws that were on the book that we are now amending and changing because it no longer fits. It's just that we, someone said to me this one statement in the last week, 'Only concern I have about your Board is that y'all are going in 5 different directions' and I defend this Board because I'm part of it. No, there are more unanimous votes on items than there are not. So we do have our lines where we agree. It just concerns me, Commissioner. And as I have said to you earlier, it's nothing personal when you do something like that, when you take a \$35,000 grant and exercise that right, what else is coming? What else would you stop at? I agree, we shouldn't be entertaining anything right away, but the man initially said 'You know what this is about, we've been discussing it' and we had. So why not exercise the right and let's put it on the agenda and move forward. We've done it time and time again around this Board the last 4 years that I have been here, where we've added items that we had just got. We didn't want to, but we did it. We did it. So it just concerns me when it happens over an issue as small as this, what's next? What would you stop next? This is why the language needs to be in there. 90% of our government is ruled by a majority where three moves an item. It doesn't cause the law to come in. I get so tired of people talking about the sky is falling and we want to change something. That's unfair. That is just unfair. If you don't want to change it, fine, don't vote to change it. But we need to explore it. We need to do that. The only reason why is because the majority is what we use to rule our government, not a super majority."

Commissioner Holt:

"Mr. Chairman..."

Commissioner Morgan:

"That would be Mr. Commissioner Hinson."

Commissioner Holt:

"I do appreciate the opportunity. With the exception to you Mr. Chairman, I can say some things that have happened over, through this Board that would be amazing to you when it comes to the agenda. I could rattle some closets and I am sure some bones would fall out because of some things they put on the agenda before without approval of this Board. I mean NO approval of this Board. And as I told Commissioner Croley and Commissioner Lamb back in '07 when I was Chairman and they said I wouldn't let them in a meeting put things on the agenda, I said you could put anything on the agenda that you want, that's up to you. See, I know that for years we didn't have a vote of three people to put items on the agenda. Whoever controls puts items on the agenda. You had to get with one of those three in order to get your items on the agenda. There

was no vote in this Commission chamber; they just decided what they wanted on the agenda. What I want to say is this, no one person or a group of people should control without the other members having a say-so. Now, I must say this, you, the reason the federal government is deadlocked is because they are trying to go a super majority. They are filibustering and stopping things that some things should go through. You only need a simple majority to do almost anything. The founding fathers of this country, who are not my fathers by the way and some of them may be Robert, I'm not sure, but what they did was they said a simple majority. So the founding fathers of this country said a simple majority. Why are we trying to make it so difficult to get laws passed, to get things passed? We stagnate the whole process of economic development because no-one wants to come before this Board. You have to jump through all those hoops to try to get a business sin here. They can go to Jackson, Madison, anywhere else. So, what we need to do is go back and look at the total process, the policy and procedures themselves and see what we need to do and that's my comment. Thank you Sir."

Chair Hinson:

"Well, I heard the motion, ah; can I give my little 2 cents as well? What this motion is saying, it's going on the next agenda right?"

Commissioner Croley:

"No, what I'm saying to you is, I'm saying that the motion about the number of days stays. I'm saying that this business of changing these laws, we don't need to be spending the money to have an attorney go through this, it's already been identified by the Attorney General, they are saying right here that you should not be adding things to the agenda in this matter. If you are going back to doing the 3 votes, today maybe someone's in a majority, tomorrow they might not be. But that's my motion, to take that item off the legal work that's being done and save that money."

Commissioner Holt:

"Mr. Chairman, may I make one other comment? First of all, several opinions of the Attorney General have been incorrect and have been over-ruled by the Supreme Court. So that's no standard to look at. The other thing is there are certain things that the attorney is supposed to do within the contract and every time the attorney picks up a pen or does some research, we should not be required to pay them because we are now going back, as Commissioner Taylor said, and look at their contract. So we don't know for sure whether they should get paid for this or not."

Chair Hinson:

"Well, I tell you what. I'm stuck between a rock and a hard place because for the last 8 years I always said that we should have at least 7 days before we get the agenda. So I understand that some things may be an emergency, or may be sensitive that you must pass. At the same time, you don't want to abuse the law and every, every, every, every ah, you know, every other meeting somebody is coming up, now all of a sudden, every meeting, you have someone that looks at their packet coming up and says 'We need you to vote on this again'. I think it's unfair to the people; unfair to the Board, unfair to everybody. So, hum, interesting, this is an interesting situation."

Commissioner Taylor:

"Commissioner, could I say one more thing? And I can appreciate the position that you are in, but what you said earlier, very earlier in this meeting, is where you and I line up at. That we care about the people and more so, we want to make sure that our time up here is productive. Because they call on you just as much as they call on me with jobs. They call on you. There are

going to be times when you are going to have to entertain issues and you want to get things through. He's (pointing to Mr. Presnell) not going to bring anything up because he sees how it gridlocks the Board and over the four years that I've been here, it hasn't been a regular thing but it has occurred, with our Sheriff's Department, with the grant, it occurs, and you've got to be able to move on because the grants are used to fund the Sheriff's budget. You've got to move on them. You know about deadlines and grants. They have to be in or you won't even be considered. So, all I'm saying is, this doesn't gridlock us anymore, we can move agendas on. I know you are in a sensitive situation. But you want to see this county progress."

Chair Hinson:

"Right, it's just my belief; it's just something I believe in. What about this here? I tell you what; we've got a motion on the floor. But if I had to, because we're talking about something paramount, this is a paramount moment that I believe, personally, that every agenda should be (inaudible) to that appropriate time. But I understand the flexibility, every blue moon, there just needs to be, something may come up, may come up, like you said, something...So I think we need to, I agree with your motion 100% but I wish, I think we need to tell the motion just in case something like you said catastrophic or, or, something that deals with general revenue or something like that, we don't need to be entertaining that the day of the meeting, I don't think so, because that's money taken out of the budget right then and there. Ah, because I can't say no because this is something I really and truly believe in. At the same time too, I understand too, sometimes you are going to have to push, every once in a while you are going to have to push something forward. So we've got to..."

Commissioner Croley:

"May I make a comment? Commissioner, you have that authority. It says 'with consent of the Commission as a whole'. We have that authority. The issue had nothing to do with the grant application. It was the acceptance of the grant."

Chair Hinson:

"I'm not talking about the grant."

Commissioner Croley:

"No, I know and we shouldn't be. This is the issue. The consent of the Commission as a whole is in the law already. That's not a problem."

Chair Hinson:

"The consent of the whole is the super majority vote, right?"

Commissioner Holt:

"Yes, yes."

Commissioner Croley:

"No, it just means that we all agree that this item needs to be added to the agenda and we are satisfied that we've got the information."

Commissioner Taylor:

"(Holding her hand up) Five, not four, five. That's the problem."

Chair Hinson:

"Well, what's the attorney had to say about this? Well, what's the consensus of the Commission?"

Commissioner Morgan:

"Point of Order, Mr. Chair. I really, really do respect everybody wanting to discuss this fully. I'm going to have to interject and ask, with your permission, ask the attorney, I think we are getting way too deep into the weeds here. We are on commissioner comments, there is a motion and a second on the floor, we need to call for the vote. Very respectfully I say that. Thank you."

Chair Hinson:

"See, the reason why I, personally, it's just like, we're talking about the big issue. This is a controversial issue right here. You all expect me to vote on this controversial issue right now to change the laws, I mean to do something. Something like this right here I would like to see the pros and the cons prior to..."

Commissioner Taylor:

"And that's exactly what we did; we have it in the agenda for discussion. That's all we've got right now is for discussion."

Chair Hinson:

"I like to see the pros and the cons first before I say yes because this may be, this may be a serious issue here that may affect the whole county. Or if I said no, at the same time, I have affected the whole county by saying no as well. I want to hold things along, want to hold things around; I think that it would be..."

Commissioner Holt:

"Mr. Chairman, excuse me. May I make one comment? All that is coming before us is for discussion so that when they come back, when the Manager brings it back, he'll bring everything for it. So you will get to see everything that goes along with that agenda item. But now, remember this, Mr. Chairman, we're talking about putting something on the agenda and you see the gridlock right now. So, you see..."

Commissioner Taylor:

"He's going in the right direct, let's just bring it..."

Commissioner Holt:

"Put it on the agenda, just bring it back and that's all we're doing. We just discuss it, vote it up or down and keep going."

Chair Hinson:

"The only reason why, it's going to be kind of hard for me to vote for it even when it comes back on, I've got to look and do the research, but at the same time, if I vote yes for it right now, that's saying, I guess what you are trying to stop, is making decisions, impulse decisions that really is going to affect the entire county, what I'm really looking at. So, ah, with that said, we can go ahead and vote on it. I kind of hate to vote on it because I really want to say yes because this is what I truly and truly believe in. At the same time, I would like to at least look into the pros and cons and see exactly where we stand and then, then, once we see where we stand, then I can say, 'OK, this is the reason why I voted yes'. That's the small reason why."

Commissioner Croley:

"Are you going to call the vote? Because, again, I'm stating that we need to leave, take this item off the agenda and not pay the money for the attorney to go through it because it's already here. You don't need to do anything. Changing the days, yeah, but, we don't need to change the Rules of Procedure. They are fair. Call the vote."

Commissioner Morgan:

"Call the vote."

Chair Hinson:

"I tell you, does anybody have anything to say? Let's call the vote. OK, all in favor..."

Commissioner Croley and Commissioner Morgan said "Aye".

Commissioner Morgan (to Chair Hinson):

"All opposed"

Chair Hinson:

"All opposed?"

Commissioner Holt, Commissioner Taylor and Chair Hinson opposed.

Chair Hinson:

"So, OK, is that it?"

Commissioner Croley:

"Are you going to announce the vote?"

Chair Hinson:

"OK, the vote is, it died, we have a 3-2 vote that a motion failed."

**UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 3-2 BY VOICE VOTE TO HAVE SECTION 2-45(J) REMOVED FROM THE BOARD'S RULES OF PROCEDURE. COMMISSIONER HINSON, COMMISSIONER HOLT AND COMMISSIONER TAYLOR OPPOSED. MOTION FAILED.**

Commissioner Croley:

"Well, wait a minute. I'm still not done. There's another thing. This business of, the issue of, you can let me have the gavel back now."

Chair Hinson:

"No. I'm not giving it back (laughing)."

*Commissioner Morgan stepped out at this juncture of the meeting.*

Commissioner Croley:

"The final thing is on the re-districting. The law requires that we take some action on that in the

off years after the census whether we keep things the same or whether we change it, it's got to be done. That's how come it's on the agenda to be looked at. Now, and it's going to take a consultant to do it. Now, so, that's my comment about it. To give the Administrator any other direction is incorrect because he's got, we've got to go forward and us to look at this and I believe that Deborah Minnis is reviewing it now."

David Weiss:

"Yes, I think that's correct."

Commissioner Holt started to speak and Chair Croley interjected.

Commissioner Croley:

"No, I didn't make any motion, it's still my time. Alright, I'm going to end by saying that that's it and now you can call for adjournment."

Chair Hinson:

"Now, for the record, Mr. Croley, if the law says something, I will follow along."

Commissioner Croley:

"It does say that."

Commissioner Taylor:

"Well you still have the gavel."

Chair Hinson:

"I do have the gavel."

Commissioner Taylor:

"Well, you can listen to Commissioner Holt."

Commissioner Holt:

"I need, I'll make one comment on that."

*Commissioner Morgan returned at this juncture of the meeting.*

"In this process, the manager or the attorney may look at it, but I'm not in favor of hiring anyone to look at that unless its economic development. They want to hire someone to bring in some jobs. But just to move district lines, I'm not in favor of it. The numbers have to compute, the data has to be there. Thank you Mr. Chairman."

Chair Hinson:

"I make the motion to adjourn now, right?"

## **RECEIPT AND FILE**

**16.**

- a. For the Record: Economic Development Report, February 2013 – Gadsden County Chamber of Commerce**

- b. For the Record: Letter from the Town of Havana Regarding its Community Redevelopment Agency Annual Report
- c. For the Record: Letter from Department of Economic Opportunity Regarding Florida Community Development Block Grant Program, Disaster Recovery Initiative Contract and Gadsden County On-Site Monitoring Report

**MARCH MEETING(S)**

- March 5, 2013, Regular Meeting, 6:00 p.m.
- March 19, 2013, Regular Meeting, 6:00 p.m.


**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HINSON DECLARED THE MEETING ADJOURNED AT 7:45 p.m.

GADSDEN COUNTY, FLORIDA

  
\_\_\_\_\_  
DOUGLAS M. CROLEY, CHAIR  
Board of County Commissioners

ATTEST:

  
MARCELLA BLOCKER, Deputy Clerk for  
NICHOLAS THOMAS, CLERK



**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN COUNTY,  
FLORIDA ON MARCH 5, 2013, AT 6:00 P.M., THE  
FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

Present: Doug Croley-District 2, Chairman  
Eric Hinson-District 1, Vice-Chairman  
Brenda Holt-District 4 (arrived late)  
Sherrie Taylor-District 5  
David Weiss, Assistant County Attorney  
Robert Presnell, County Administrator  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

***\*\*NOTE\*\*There were technical difficulties with the recording video equipment for this portion of the meeting.***

Chair Croley called the meeting to order at 6:00 p.m.

He then asked everyone to stand for prayer and the pledge of allegiance to the U.S. Flag.

*Commissioner Holt arrived at this juncture of the meeting.*

**AMENDMENTS AND APPROVAL OF AGENDA**

The agenda was amended to delete Item 1 – Discussion of Economic Opportunity for Gadsden County and Item 16 Approval of Joint Participation Agreement for Gateway Signage and Landscaping Project

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED. ITEMS 1 AND 16 WERE REMOVED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. ~~Discussion of a Possible Economic Opportunity for Gadsden County~~**

This item was removed from the agenda as noted above.

**CLERK OF COURTS**

**2. County Finance and County Clerk Issues**

Clerk Thomas was not present. No reports were made and no issues were identified.

**CONSENT**

**Items 8 and 9 were removed from the Consent Agenda for Discussion.**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE ITEMS 3-7 AND ITEMS 10-11 OF THE CONSENT AGENDA. ITEMS 8 AND 9 WERE PULLED FROM THE CONSENT AGENDA FOR DISCUSSION.**

**3. Approval of Minutes**

-February 5, 2013 – Regular Meeting

**4. Ratification of Approval to Pay County Bills**

-Accounts Payable Dated: February 22, 2013  
February 28, 2013  
-Payroll Dated: February 21, 2013

**5. Approval and Signature on the 2013 E911 Spring Rural County Grant Application**

**6. Resolution 2013-004 Declaring the Week of May 19-25, 2013 as Public Works Week in Gadsden County, Florida**

**7. Approval to Sell Surplus Equipment/Vehicles at Auction**

#1795 2005 Ford E-350 1FBNE31PX5HA91795  
#1796 2005 Ford E-350 1FBNE31P15HA91796  
#1797 2005 Ford E-350 1FBNE31P15HA91797  
#5207 1999 Dodge B-250 2B5WB2523XK525207  
#104 1997 Ford Taurus 1FALP51U8VA313652  
#1522 2000 Chevrolet 1500 1GCEC14V6YE421552

**8. ~~Seeking the BOCC Support to Apply for Funding Through the USDA Rural Development to Purchase New Fire Trucks~~**

Pulled for Discussion

**9. ~~Approval to Sell an Anesthesia Machine to Tallahassee Memorial Healthcare (TMH)~~**

Pulled for Discussion

**10. Approval to Accept the FY 2013/14 Proposed Budget Calendar**

**11. Approval to Accept the FY 2013 First Quarter Report**

**ITEMS PULLED FOR DISCUSSION**

**8. Seeking the BOCC Support to Apply for Funding Through the USDA Rural Development to Purchase New Fire Trucks**

This item sought board approval for the Board's support to apply for funding to purchase two new county fire trucks for Robertsville/St. Johns and the Mt. Pleasant Volunteer Fire Departments through USDA Rural Development. This measure is in keeping with the replacement plan for the volunteer fire departments in the unincorporated areas of the county. These departments have

the oldest trucks in the fleet and are experiencing more repairs as the emergency call volume has increased.

Commissioner Taylor pulled this item for discussion and after a brief discussion the Board was ready to vote.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE SUPPORT TO ROBERTSVILLE/ST. JOHNS AND THE MT. PLEASANT FIRE DEPARTMENTS TO APPLY FOR FUNDING THROUGH THE USDA RURAL DEVELOPMENT TO PURCHASE NEW COUNTY FIRE TRUCKS.**

**9. Approval to Sell an Anesthesia Machine to Tallahassee Memorial Healthcare (TMH)**

For the last several years, the county has leased an anesthesia machine to Tallahassee Memorial Healthcare (TMH). It is one that was left at the hospital by the former tenant when it closed. TMH has leased the equipment for \$200 per month and the contract will expire February 28, 2013. TMH asked to purchase the machine for \$2400. The staff concluded that it was a fair price and recommended approval of the sale. A bill of sale and the property disposal record form was attached to the agenda report.

Commissioner Morgan pulled this item for discussion and asked if the money would be earmarked for the benefit of the hospital. No conclusive reply was made to the question.

Commissioner Hinson had questions concerning the machine and the amount of money that Tallahassee Memorial Hospital was willing to pay for it.

Mr. Presnell explained that TMH had given the County notice that they would not be renewing the lease and Mr. Glazer had asked them if they would be interested in purchasing the equipment.

Commissioner Hinson stated he would like to look into other options before making a decision. Commissioner Morgan added that the machine was antiquated and could no longer be used for what it was used for years ago. He added that Mr. Glazer had recommended it was a good move for the County.

Commissioner Hinson asked what role Mr. Glazer' played with regard to his recommendation.

Commissioner Morgan explained that he was the County's attorney and his specialty was the hospital.

Commissioner Hinson stated he thought maybe the County "could earn their money a little bit, the County Administrator, and let him do some research".

Commissioner Holt stated that Mr. Glazer had worked for the Board on several different occasions in dealing with the hospital, but she had no objections to waiting to make the decision if Commissioner Hinson felt uncomfortable in moving forward with a sale.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY CHAIR CROLEY, THE BOARD VOTED 2-3 TO APPROVE THE SALE OF THE MACHINE. COMMISSIONERS HOLT, HINSON AND**

**TAYLOR OPPOSED. MOTION FAILED.**

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY CHAIR CROLEY, THE BOARD VOTED 5-0 BY VOICE VOTE TO TABLE THIS ITEM UNTIL THE NEXT MEETING TO ALLOW THE COUNTY ADMINISTRATOR TIME TO BRING BACK A MORE ACCURATE APPRAISAL OF THE MACHINE.**

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

There were no citizens requesting to speak.

**PUBLIC HEARINGS**

**12. First Public Hearing-Ordinance to Amend Section 6600 Immediate Family Exceptions (IFE), of the Gadsden County Land Development Code (LDC) to Allow the Sale of IFE Residences** (Legislative Action)

On January 24, 2013, a public hearing was held by the Planning Commission and they voted 10-1 to approve ordinance as proposed.

Chair Croley asked Mr. Presnell to introduce the item.

Mr. Presnell stated the provisions in the LDC once allowed a portion of homesteaded property to be deeded to immediate family members, but with deed restrictions that prevented transfer of the property outside of the family. That provision sunsetted in 2008, but the staff still has to deal with issues arising from those IFE parcels because of the deed restrictions. He explained that the proposed change would grant relief to those home owners by allowing the property to be sold outside the family after five years.

Chair Croley called for any comments from the public and there were none.

**A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECONDED BY COMMISSIONER HOLT TO APPROVE THE ORDINANCE DESCRIBED ABOVE THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ORDINANCE.**

**13. Public Hearing – Request for Authority to Amend the TDC By-Laws (Voting Process) Allowing Electronic or Web Attendance and Voting of Physically Absent Members. Ordinance Number 2013-003**

Mr. Presnell introduced the item and stated this was a request for authority to amend the TDC by-laws to allow for electronic voting at their board meetings.

Chair Croley called for any comments from the public and there were none.

Commissioner Taylor stated she had no problems with this matter, but was concerned with the legitimacy.

**Matt Thro, TDC Vice-Chair,** appeared before the board and stated he had spoken with Mr. Lawson

and without amending the by-laws, the members would not be able to call in for the meetings or place their vote electronically.

Commissioner Hinson stated he had a problem with people calling in and asked the attorney if e-mails would be allowed.

Mr. Weiss stated it meant that telephone or web appearance would be accepted.

Commissioner Morgan stated for clarification, this was not amending the by-laws, but would allow for the members to electronically attend the meeting.

Commissioner Croley stated for “housekeeping” purposes, there was a scrivener’s error in regard to the Ordinance number and the corrected number was 2013-003.

Commissioner Holt asked for clarification and stated that under **Article 4**, it could be misconstrued or misleading to the general public by what was meant by “call in or web attendance” and thought the language needed to be made clearer by adding “audio and/or visual attendance”.

**A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, BEFORE THE BOARD VOTED THE MOTION WAS RESCINDED.**

**A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECONDED BY COMMISSIONER HINSON TO APPROVE THIS ITEM WITH AMENDED LANGUAGE TO INCLUDE TELEPHONE OR WEBINAR WITH AUDIO AND/OR VISUAL ATTENDANCE. THE BOARD VOTED 5 – 0 BY VOICE VOTE TO APPROVE.**

#### **GENERAL BUSINESS**

##### **14. Approval of the Comprehensive Emergency Management Plan (CEMP)**

Mr. Presnell introduced the above-described item and stated the County had a Comprehensive Emergency Management Plan, a very extensive document, which outlined procedures for county departments to follow during an emergency. He said the State required the Plan to be approved every five years and this was an update of the 2008 plan.

**CHARLES BRINKLEY, GADSDEN EMERGENCY MANAGEMENT ADMINISTRATOR**, appeared before the Board and stated it was mandated by the State that the Plan be updated every five years and they had received an A+ on their “report card” with regard to the plan.

Commissioner Taylor stated she was in favor of approving the plan, but asked for a workshop with Emergency Management staff because the County is ultimately responsible in emergencies.

Mr. Presnell stated each commissioner was furnished with a CD and a printed version of the plan and the printed version was extremely thick. He added he thought it would be beneficial to everyone to have a workshop and the Emergency Management staff could do a condensed version and answer any questions the commissioners might have.

Commissioner Morgan thanked Mr. Brinkley for sharing the Plan and for all the work that had been done. He asked if there was any telephone notification county-wide for any potential emergencies

such as hurricanes, etc.

Mr. Brinkley said at the present time there was not a mass call-out system and stated there had been five or six contractors that had given presentations and the range of their fees varied enormously.

Commissioner Morgan said he had issues approving an Emergency Comprehensive Plan that did not include a mass call-out system.

Chair Croley shared that it had been discovered that when there was a call-out, many people now used their cell phones, a lot of people did not answer their phone on the first call and when they called back, it was overwhelming to the 911 Emergency Center in receiving all the call-backs. He added what sounded like a good idea in theory on a practical standpoint, caused a lot of problems in reality.

**A MOTION WAS MADE BY COMMISSIONER HOLT AND SECONDED BY COMMISSIONER TAYLOR TO APPROVE THE COMPREHENSIVE EMERGENCY MANAGEMENT PLAN. THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THE ITEM. COMMISSIONER MORGAN OPPOSED.**

**15. Quincy Shuttle Status Report and Request for Second Round of Funding**

Mr. Presnell introduced the above item and stated the City of Quincy had historically, along with the Board, funded the Shuttle and the funding had expired. He added the City had tabled this item at their last meeting.

Commissioner Hinson indicated he thought this was something great and was hopeful that the County and other cities could jump on board. He added when he was campaigning, one of the biggest concerns from the seniors was transportation and he was hoping to now not “open up a can of worms but a can of opportunities”.

Commissioner Taylor shared that just this morning there was a senior citizen that used the services to get to the Senior Center and she commented that the ridership was low. But she added that when they talked about the riders, there were two categories: the ones who used it for school every day and the ones who used it for work.

Commissioner Hinson said he thought the County needed to make a statement regarding the transit system and advertise it in the local newspapers.

Chair Croley stated the City of Quincy had not committed as of yet for their share of the funding and without the City of Quincy’s partnership, it became a moot point. He added the Chair would be willing, if the Commissioners were in agreement, to entertain tabling the matter until the City had decided what they were doing.

**A MOTION WAS MADE BY COMMISSIONER HOLT AND SECONDED BY COMMISSIONER MORGAN TO TABLE THIS ITEM. BEFORE THE VOTE WAS TAKEN, COMMISSIONER HINSON HAD QUESTIONS.**

There was further discussion among the Board.

Commissioner Holt stated she only suggested tabling this to give Quincy an opportunity to step up.

Commissioner Taylor stated that the County needed to send Quincy a message, "This Board was willing to see and accept and appreciate transportation and we know the value of it because we HAVE to look at the bigger picture; we are over the County." She added that we need to send them a message that we were ready and willing to hold up to our end of the funding contingent upon Quincy holding up their end.

Commissioner Holt withdrew her motion and added that since this issue was brought up, if the County funded this, would that make the County responsible for the other half if Quincy did not come up with their half of the funding.

Mr. Presnell stated their choices were to pass it contingent on Quincy passing it or...

Commissioner Holt stated she had no problem in voting for this but wanted to make sure that the County was not held responsible for the other half.

**A MOTION WAS MADE BY COMMISSIONER HOLT AND SECONDED BY COMMISSIONER TAYLOR, TO APPROVE THE ITEM CONTINGENT ON THE CITY OF QUINCY APPROVING THEIR FUNDING. THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE IT. CHAIR CROLEY AND COMMISSIONER MORGAN OPPOSED.**

Commissioner Taylor asked that the media alert the public that the county Commissioners were doing their part to keep the transportation going.

**16. Approval of Joint Participation Agreement for Gateway Signage and Landscaping Project**

This item was removed.

**17. Approval to Award Bid Number 13-01 to Emerald Coast Striping, LLC and Contract for Emergency Striping Service for \$10,423.47.**

Mr. Presnell introduced the item and stated that the bid was awarded to Emerald Coast Striping for striping of Scotland Road (District 1), Main Street in Chattahoochee (CR 269 District 3), Howell Road (District 4) and Strong Road (District 5)

**A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECONDED BY COMMISSIONER MORGAN TO APPROVE THE BID AWARD TO EMERALD COAST STRIPING, LLC FOR \$10,423.47 AND AUTHORIZE THE CHAIRMAN TO EXECUTE ALL DOCUMENTS INCLUDING THE CONTRACT. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

**18. Replacement of a Member to the County Tourist Development Council**

Mr. Presnell introduced the item and stated there had been a resignation of staff on the Tourist Development Council and they were seeking a recommendation to fill the vacancy.

Chair Croley stated it was the recommendation of the TDC to place Mr. Hemant Patel on the Board.

**A MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECONDED BY COMMISSIONER MORGAN TO APPOINT HEMANT PATEL TO THE TDC. BEFORE THE VOTE WAS TAKEN, COMMISSIONER HOLT HAD QUESTIONS.**

Commissioner Holt asked if there were any requirements for the nominees to come from a specific district to be able to have equal representation within the districts.

Mr. Weiss said there was nothing in the By-Laws that stated the members had to be from specific districts.

**THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE HEMANT PATEL TO THE COUNCIL.**

#### **COUNTY ADMINISTRATOR**

##### **19. Update on Board Requests**

Mr. Presnell reported the following:

- As of March 12<sup>th</sup>, the County will have the ability to accept debit/credit cards enabling the public to purchase permits and take care of their business.
- The Planning and Zoning Commission will receive training on either April 19<sup>th</sup> or the 26<sup>th</sup> and the county commissioners were welcome to attend the training as well.
- United States Small Business Administration will be holding a workshop at the McGill Library on Thursday, March 14th, from 6-8 p.m. to give a presentation and to assist with any questions from the public in starting or growing a small business within the county.
- Bond Community Health Center will start in the next few weeks in the county providing primary care services and will offer dental as well with their mobile unit

Commissioner Morgan asked if a date had been decided for the retreat and Mr. Presnell stated he was in the process of acquiring dates and asked if it was still the preference of the board members to hold the retreat on a Saturday and everyone agreed it was.

#### **COUNTY ATTORNEY**

##### **20. Update on Various Legal Issues**

The attorney had nothing to report.

#### **DISCUSSION ITEMS BY COMMISSIONERS**

##### **21.**

##### **Commissioner Morgan, District 3 – District 3 Concerns**

Commissioner Morgan stated he had been told by several citizens of Chattahoochee that they had



seen the county commission meetings on the City of Chattahoochee television and asked if anyone knew anything about it and no-one did.

**Commissioner Holt, District 4 – County Concerns**

Commissioner Holt stated regarding the TDC by-laws concerning Article 8, she asked that it be brought back to the Board for clarification.

**A MOTION WAS MADE BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO HAVE BY-LAWS REVIEWED BY THE COMMISSION.**

Commissioner Holt stated she was still requesting an enterprise zone workshop. Mr. Presnell stated it was in the works.

She added she thought a workshop regarding emergency management was a good idea because the hurricane season was coming up.

Commissioner Holt also added that she attended, along with Chair Croley and Commissioner Morgan, the workshop on the minority chamber and thought it was something that needed to be looked at closely because the County needed all the economic development they could get.

She further added she had spoken with a grant writer who asked her if she could partner with the County in helping to obtain grants. She added comments in the past was the Clerk was the administrator of the grants but that was not true, the Clerk's job was to pay bills, collect money and make sure the Commissioners followed the law.

**Commissioner Taylor, District 5 – No Items**

Commissioner Taylor stated the website for Gadsden County needed to be updated.

Mr. Presnell stated that would be addressed during the budget process because the entire set-up needed to be revamped, but currently, it had to be updated by a firm in California. He agreed it needed to be "flashy but fluid as well."

The commissioner added that "I'm hoping at some point in the near future we brand this county, one that says "Our doors are open, We want you. We are streamlining our Planning and Zoning Department. We can get your doors open quicker than anybody in the Big Bend area." That's the idea if we're going to get them in here".

She asked that the Board to visit Family Exemptions.

**A MOTION WAS MADE BY COMMISSIONER HOLT AND SECONDED BY COMMISSIONER HINSON TO REVISIT THE FAMILY EXEMPTIONS PROCESS. BEFORE THE BOARD VOTED, THERE WAS DISCUSSION.**

**Chair Croley:**

"Only exercising the privilege of the chair, Commissioner Taylor, nothing that I had ever seen up here caused as much harm to the public as that action did and that is why, if the Commissioner will

recall and go back and look at the number of people up here crying over that and why we had to do, take that action tonight. I'm just reminding you of the fact that that was a terrible situation for the citizens. Just bear that in mind for what you asked for. We can talk more about it at a later time. But do we have a motion to approve that item being added for discussion? It's been motioned and seconded. Do we have, I'm calling for a vote. All in favor of putting the item on the agenda for discussion please signify by saying Aye. All opposed?

**THE BOARD VOTED 5-0 BY VOICE VOTE TO REVISIT THE IMMEDIATE FAMILY EXEMPTION AND BRING THE MATTER BACK FOR DISCUSSION.**

Commissioner Taylor commented to Mr. Presnell that the annual report was put out in a timely manner; it was thorough, had a lot of information and needed to be made available for the public so they would know what was going on in the County.

Commissioner Taylor commented that she knew bringing a magistrate on board was in the works and asked how soon the Board thought that would be because she had received a call from citizens on the lake and the "junkyard right on the lake" that was next to them .

Chair Croley stated he had spoken with the Administrator concerning that matter today and it was his understanding that Judge Parsons had entered into a verbal agreement.

Mr. Presnell added that the agreement had been entered into, Mr. Lawson had prepared the contract and Legal had the contract to review.

Commissioner Taylor then commented that she knew how important it was to move the meetings along, but sometimes it was the dialogue they had to help them "make the case for what we're trying to do and each of us do it a little different" and asked that they be respectful to each other and give everyone a fair amount of time for the discussions. She added that she meant no disrespect to the Chair and she thought he was doing a fine job as Chairman.

**Commissioner Hinson, Vice Chairman, District 1 – County Concerns**

Commissioner Hinson thanked Mr. Presnell and his staff for their response to the citizens regarding the recent flooding problems.

He stated regarding the TDC, he thought they were on the right track but thought District 1 needed some representation. He mentioned that other than David Knight, District 1 was excluded from representation on the Council.

He also mentioned the transportation issue and wanted to work on expanding coverage to the outlying areas.

**Commissioner Croley, Chairman, District 2 – Report and Discussion on Public Issues and Concerns Pertaining to Commission District 2 and Gadsden County**

Chair Croley stated he wanted to make sure they all could say that he made sure that they were treated fair, that he was trying to run the meetings in an effective and efficient manner with showing respect to everyone and was not trying to deprive them from expressing themselves.

Gadsden County Board of County Commissioners  
March 5, 2013 – Regular Meeting

He thanked the County staff for all they do for the County, especially with regard to the recent weather.

RECEIPT AND FILE

22. -For the Record: Crawfish Island Disaster Recovery – Gadsden County, FL Closeout Certification Letter

March Meeting(s)

-March 19, 2013, Regular Meeting, 6:00 p.m.

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 7:24 P.M.

GADSDEN COUNTY, FLORIDA



ATTEST:

  
DOUGLAS M. CROLEY, Chair

  
Marcella Blocker, Deputy Clerk

**AT THE REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON MARCH 19, 2013, AT 6:00 P.M.,  
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

Present: Chair Doug Croley-District 2, Chairman  
Eric Hinson-District 1, Vice-Chairman  
Gene Morgan-District 3 (arrived late)  
Brenda Holt, District 4  
Sherrie Taylor, District 5  
Nicholas Thomas, Clerk of Court  
Deborah Minnis, County Attorney  
Robert Presnell, County Administrator  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to order at 6:00 p.m.

He then asked everyone to stand for prayer and the pledge of allegiance to the U.S. Flag.

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Croley asked if there were any amendments to the agenda and there were none.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD  
VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Discussion of Redistricting Issues**

Ms. Minnis introduced the above item concerning the redistricting issues.

**Mark Logan, Esquire, Sniffen and Spellman, P.A.**, appeared before the Board and spoke on behalf of the redistricting issues and gave a brief overview of the law and how it applied to some of the options to be considered. He went on to add that the Constitution “requires the Counties to redraw district boundaries so as to evenly divide the population contained within each district as closely as reasonably practicable and preserve the doctrine of ‘one person, one vote’ and to avoid claims of violation of equal protection provisions of the 14<sup>th</sup> amendment of the Federal Constitution by any arguably disenfranchised voters”. He further explained that under state law, there were provisions that the Board of County Commissioners “shall, from time to time, fix the boundaries of districts so as to keep them as nearly as in proportion as possible, provided that changes made to the boundaries shall be only in odd numbered years.” He explained that districts did not have to be identical in population.

*Commissioner Morgan arrived at this juncture of the meeting.*

Mr. Logan specified a number of factors that could be considered along with the factors that could not be considered, such as race, sex and economic status. He added that he believed the law and the Constitution suggested that the Board put forth "a good faith, due diligence effort to look at the districts and the population numbers and determine whether it makes sense to adjust the districts in a manner that makes them as close as possible". He added if there was a rational, defensible reason not to change district lines, it was fine because they had met their obligation to the citizens on reviewing same. He then explained if they did nothing, they could be subjected to a Writ of Mandamus from any voter.

He suggested the Board take time, talk with experts, look at the boundaries, consider them, act accordingly and then move forward. If they then chose to not move the district lines, they will have fulfilled their obligation by reviewing it.

The Commissioners asked questions concerning the redistricting.

Mr. Logan explained the need to look at the data but explained it did not mean that the Board "had" to make any changes.

Commissioner Taylor reiterated to the Board that this did not mean that they must move district lines, but only that they address the issue, that they must do due diligence in looking at the districts and this needed to be placed on the agenda for a later date.

*Commissioner Morgan stepped out at this juncture of the meeting.*

Chair Croley asked that this be properly agendaed and brought back to the Board at a later date with all supporting documentation for discussion and decision.

Commissioner Taylor asked if the Board was under any time constraints.

Mr. Logan stated there were no expressed time limits but he encouraged them to act so that it would be completed by the end of the calendar year.

*Commissioner Morgan returned at this juncture.*

## **CLERK OF COURTS**

### **2. County Finance and County Clerk Issues**

Clerk Thomas stated there were no reports to present.

## **CONSENT**

Chair Croley asked if there were any items to pull and then stated he wished to pull Item 5 for discussion.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD**

**VOTED 5-0 BY VOICE VOTE TO APPROVE ITEMS 3, 4, 6 & 7.**

- 3. Approval of Minutes-**
  - February 19, 2013-Workshop/Special Meeting
  - February 19, 2013-Regular Meeting
- 4. Ratification of Approval to Pay County Bills**
- 5. ~~Request Approval of Collective Bargaining Agreement between IBEW Local 2152 and Gadsden County Board of County Commissioners~~**  
Item pulled for discussion by Chair Croley.
- 6. Surplus Ambulances**  
The surplus vehicles:  
County Property #A-1058 ambulance #2, 2008 Chevy to Robertsville VFD  
County Property #A-1088 ambulance #6, 2009 Chevy to Robertsville VFD  
County Property #A-1065 ambulance #9, 2008 Chevy to Wetumpka VFD  
County Property #A-1057 ambulance #10, 2008 Chevy to Greensboro Fire Dept.  
County Property #A-0453 ambulance #4, 2007 Chevy to Havana Fire Dept.  
County Property #A-1020 Ambulance #8, 2006 Chevy to Concord VFD  
County Property #A-639 brush truck, declare surplus, sell at auction
- 7. Approval to Award Bid Number 12-14 Part-time TDC Coordinator to Legacy Marketing, Inc., (Mary Kelly) and Authorize the Chairman to Execute the Agreement**  
The contingency of this agreement is solely based upon a 6 month performance review.

**ITEMS PULLED FOR DISCUSSION**

- 5. Request Approval of Collective Bargaining Agreement between IBEW Local 2152 and Gadsden County Board of County Commissioners**  
Chair Croley stated he did not have a problem with Union representation and asked how many members IBEW represented.

Mr. Presnell asked Mr. Lawson to come forward since he had negotiated the contract.

Mr. Lawson stated the union represented all of the non-supervisory employees in the bargaining unit and there were 14 dues paying members out of the 64 employees and that only the supervisors were not eligible to be members.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE THE ITEM. CHAIR CROLEY AND COMMISSIONER MORGAN OPPOSED.**

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

**Mr. Ed Allen, Lake Talquin**, appeared before the Board and stated that the questions he had had been answered earlier by Mr. Logan and he just wanted to make sure the redistricting issue would be addressed by the Board. Mr. Presnell stated the item would be on the agenda for the second

meeting in April.

## **PUBLIC HEARINGS**

### **8. Public Hearing-Amendment of Section 2-45 of the Gadsden County Code of Ordinances**

Chair Croley asked Ms. Minnis to introduce the item.

Ms. Minnis explained this was an amendment to Section 2-45 of the Gadsden County Code of Ordinances and she that had provided a red-line copy and a clean copy of the suggested changes to the language and commented that basically the changes were that support documents to back up the agenda had to be submitted 7 days prior to the regular meeting and it would allow for additions to the agenda at a board meeting with majority vote of the Board.

Chair Croley called for comments from the citizens.

Ed Allen appeared before the Board and asked why the change in the deadline from 10 to 7 days.

Mr. Presnell explained it was 7 business days, nothing would change regarding procedures, but this would put them in compliance with their ordinance.

Chair Croley mentioned there were two parts to the amendment; one was the deadline issue and the other was the proposal that the agenda be amended by simple majority vote. He expressed his feelings on the matter and stated he was not in favor of “simple majority vote” to amend the agenda. He asked that they consider splitting the decision in favor of changing the number of days regarding the deadline but to not change the simple majority vote because he had a problem with the agenda being amended without prior notice to the public.

Commissioner Morgan made a motion to split the items. Before votes were called, Commissioner Holt asked for more discussion.

Commissioner Holt stated unanimous didn’t matter; it was her opinion that 3 votes were all that was necessary to put an item on the agenda.

Commissioner Taylor stated for the record, in all fairness the Chair was correct but there would be occasions that the Board would need to be able to consider items that would need to be added to the agenda at the last minute. She further commented that she would like to “leave some kind of latitude in there for the Administrator because you, myself and no-one around this Board are Houdini, we don’t know what may come up, but we do need to have the latitude...I don’t ever want to see this or send the message to Tallahassee that we took an item where they were trying to give us money and held it up. That did not send a good message out; especially given the fact now we need to get all the help we can out of Tallahassee. That did not send them a good message. A simple majority on situations where the Administrator uses his discretion, we should do, but when it comes to impacting the budget, we should not do it.”

Chair Croley commented that they were in agreement with half of the amendment.

Commissioner Hinson stated the 10 day rule threw him off and he had been fighting this the past

month and stated he would like to amend the motion.

Commissioner Holt stated Commissioner Hinson had a park in his district that was taken out of her district because proper procedure had not been followed. She stated it should be majority not unanimous.

Chair Croley stated they were not discussing the voting of items on the agenda but adding items to the agenda at the beginning of the meetings that had not been properly advertised and the public had not been previously notified with the exception of emergency items. Chair Croley asked Ms. Minnis to clarify the procedure of placing items on the agenda after publication of the agenda.

Ms. Minnis stated the current policy requires the vote of the whole of the Board.

Commissioner Taylor said, "You must move forward with caution because 9 times out of 10, these very same rules that we stand up against are the same rules that come back to haunt us" and she added that what had happened in the past had nothing to do with the Board now.

Mr. Allen appeared before the Board again and stated under Section 2-45(a) "There shall be an official agenda for every meeting of the Commission and it shall determine the order of business at that meeting."

Commissioner Holt stated her problem was subsections (h) and (j).

Chair Croley stated that currently it read "All support information for agenda items shall be available no later than ~~ten business~~ seven (7) days before the regular meeting."

Commissioner Holt stated the ten days was one she wrote to give the commissioners time to look over the items on the agenda.

Commissioner Hinson stated the commissioners had all made valid points. He then made a motion to amend the deadline to 7 business days provided it didn't affect general revenue and to be able to add to the agenda by simple majority vote and Commissioner Taylor seconded.

Ms. Minnis stated that the prior motion needed to be addressed before entertaining this motion and that it would die for lack of a second.

Chair Croley stated he would second Commissioner Morgan's motion because there had to be a motion on the floor to be able to amend it.

**A MOTION WAS MADE BY COMMISSIONER HINSON AND SECONDED BY COMMISSIONER TAYLOR, TO AMEND THE MOTION TO ACCEPT THE CHANGE TO 7 DAYS OF PLACING ITEMS ON THE AGENDA THAT DID NOT AFFECT GENERAL REVENUE, BUT BEFORE THE BOARD VOTED THERE WAS MORE DISCUSSION.**

Commissioner Morgan stated things were getting too complicated and he was trying to keep it simple.

Commissioner Hinson withdrew his amendment and Commissioner Taylor withdrew her second.



**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY CHAIR CROLEY TO SPLIT THE QUESTION OF KEEPING THE 7 DAY DEADLINE SEPARATE, THE BOARD VOTED 3-2 BY VOICE VOTE TO OPPOSE THE ITEM. COMMISSIONERS HOLT, HINSON AND TAYLOR OPPOSED. MOTION FAILED.**

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER TAYLOR TO CHANGE THE DEADLINE TO 7 DAYS FOR SUPPORTING INFORMATION AND ALLOW THE BOARD TO BE ABLE TO VOTE, AS A WHOLE, ON NON-AGENDAED GRANTS AND EMERGENCY ITEMS THAT DID NOT IMPACT GENERAL REVENUE, THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE THE ITEM. CHAIR CROLEY AND COMMISSIONER MORGAN OPPOSED.**

**9. Public Hearing-Approval of Budget Amendments and Resolution and Approval of Joint Participation Agreement (JPA) Between the City of Tallahassee(via StarMetro) and Gadsden County for 2012 Federal Transit Administration (FTA) Funding Under Section 5316 of the Job Access Reverse Commute Program (JARC) and fort the Chairman to Execute Agreement**

Mr. Presnell stated this item was a Joint Participation Agreement between the City of Tallahassee/StarMetro and Gadsden County for the benefit of Gadsden Express and stated the County was receiving \$100,000 grant and that was a matching grant and it would fund the program for twenty-six (26) months. He went on to add that the Gadsden Express provided service between Quincy, Midway and Tallahassee.

Commissioner Croley stated this was a public hearing and called for comments from the public and there were none.

Commissioner Hinson noted he had issues with this item, that while it did provide a great service, Havana still had no transportation and he would like to meet with someone to answer questions.

**Shawn Mitchell, Big Bend Transit**, appeared before the Board and stated this was a Federal Transit Administration (FTA) grant, was a joint participation agreement with the City of Tallahassee and this was the route that had been agreed upon to receive the 50% match funding. He added that this could be reexamined with StarMetro to readdress the service lines.

Commissioner Holt explained to Commissioner Hinson that when the agreement originally had been made with the City of Tallahassee, they were going to send out buses from StarMetro and later the Commission changed the agreement and then Tallahassee had decided to pull out. She stated if they wanted to expand the service; they would need to negotiate with StarMetro to readdress the service routes and other funding avenues.

Commissioner Morgan stated this was a very effective program for those that it did serve and commented that when this was originally presented to the Board, a gentleman appeared before the Board and made statements to the effect that they would be looking at providing service to other areas and to his knowledge there had been no further discussion regarding the expansion of the bus routes. He added that it all boiled down to funding and there appeared to be no more funding available. He added that District 3 was not on the service route at all, but he supported this in the past and continued to support it because he did not want to limit what some were able to benefit from just because there were no funds and routes to serve everyone.

Chair Croley reminded them that Big Bend Transit was a subcontractor under StarMetro and if they wished to expand the service to the outlying areas, they would need to allocate more money and they would need to have matching monies.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION 1.**

**GENERAL BUSINESS**

**10. Approval of Amendment Number 3 to the Contract between Gadsden County and Big Bend Transit for the Continuation of Gadsden Express Services for Twenty-Six (26) Months and Authorize the Chairman to Execute**

Mr. Presnell introduced the next item and informed the Board that it was a related item to the above public hearing.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, BEFORE THE VOTE WAS TAKEN COMMISSIONER MORGAN ASKED THAT THE AMOUNT OF MONEY AND WHERE IT CAME FROM BE EXPLAINED.**

Mr. Presnell explained this would approve the existing contract for twenty-six months, that the Board had previously approved \$100,000 for bus services and \$18,000 had already been used and that amount had been used as leverage on the matching grant so they would be short a few dollars and might not be able to complete the full 26 months, it might be only for 24 months.

**THE BOARD THEN VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

Chair Croley stated before leaving this item, it was the consensus of the Board that Mr. Presnell get with StarMetro and their subcontractor, Big Bend Transit and come back to the Board on how much it would cost to expand the service to other communities throughout the county.

**11. Approval to Sell a 1996 Ohmeda Excel 210 SE Anesthesia Machine to Tallahassee Memorial Healthcare (TMH) for \$2,400**

Mr. Presnell stated this was a motion to approve the sale of an old anesthesia machine to Tallahassee Memorial Healthcare and added this was a machine that Gadsden County had rented from them for several years. He further explained that his staff had researched the machine and due to its age there was no book value, but they had found similar machines on sale with Ebay and the price that had been recommended was in line with what they were asking.

Commissioner Hinson asked if this was the only company that used this equipment.

Mr. Presnell explained they had checked with TMH and Capital Regional.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE SALE OF THE MACHINE to TMH.**

**12. Discussion of Soliciting Request for Proposals for Legal, Engineering and Auditing Services**

Chair Croley read this item and pointed out it was a discussion only item.

Mr. Presnell said that was correct, it had been directed that staff bring this item back to the Board for direction.

Mr. Lawson appeared before the Board and stated that Board Staff had been directed to bring this back before the Board as to whether or not the Board wanted to solicit RFPs for the major services and asked the Commissioners if they wanted to move forward with the major RFP's or wait until the contracts expired. He explained there were additional times on all of the contracts and that the contract for the auditing services had just been renewed and he suggested that the audit contract be left in place because per the Board's instruction, they were going out for an RFP on that contract after the audit was completed, however, the legal and engineering contracts were through 2014 and asked if it were the Board's desire to go ahead and advertise those prior to the expiration of the terms of their contracts and asked the Board for specific direction on how to move forward.

Commissioner Taylor stated she was not interested in interrupting services of the auditor for this fiscal year, but she was looking at all three contracts and opined that the Board issue RFPs for the 2013-14 fiscal year. She added that she understood there were extended contracts with the engineering firm and the county attorney, nonetheless, there was a new make-up around the Board and believed that input should be from the new Board for those major RFPs. She opined that by placing the RFPs back out for bid, it might be cost-effective for the County.

Commissioner Morgan stated that any time there was an opportunity to increase efficiency or lower the cost without any interruption of service or any unnecessary delays; it was a good thing to do. He added that one reason there were contracts for a certain length of time, was so there was continuity and it was the best price for services rendered and that there was value in that. He added that one thing they had done very well in recent years was to put out RFPs in a manner that they received responses from companies that were able to provide a wide array of services. He used the county attorney as an example, that they had not one individual but several attorneys with a vast array of expertise that were offered to the Board and it had been done in a very reasonable fashion as related to dollars. He added that they were not looking for the "cheapest" that was out there but for who would be able to provide the best service for the best price.

Commissioner Holt had questions regarding the county attorney and engineer's bills and asked what their retainer covered. She added it was her opinion that they review the bills from both businesses for their services.

Commissioner Hinson asked how business had been conducted in the past and how long the contracts had been for.

Mr. Lawson responded when the contract was signed, it's for either one, two, or three years with an option to renew for an additional year and once that option came up, he would return to the Board and to ask their direction and if they wished to renew the contract or if they wished to go back out for an RFP.

Commissioner Hinson asked if the contracts were based on a yearly basis.

Mr. Lawson explained it could be a yearly contract or a contract for a longer period of time, but whatever the length of the contract, it was brought before the Board and the Board had agreed on the terms of the contract at that time.

Commissioner Taylor added that with every contract, whether it were a 1 year or 3 year contract, if the new Board decided they wanted to re-bid, they could do so; it did not need to wait until expiration of the contract. She further explained that within the body of the contract, either side had the choice to “option out” of the contract. She stated at the proper time she would like to make a motion to put all three contracts out for RFP and allow staff to do their due diligence with regard to notifying the three that the Board had agreed to issue an RFP and to give them proper notice per their contractual agreement.

Commissioner Hinson stated during his time as Commissioner for the Gadsden County School Board, he had the opportunity to work with the Ausley Law Firm and they had served them well, but he had no experience with the other two firms.

Chair Croley added that all three vendors had done a very good job for the County and Commissioner Taylor was correct that there was nothing wrong in taking new RFPs for those services. He did caution however, that regarding the professional services, there was a lot to be said for the institutional knowledge that the firms had of the county and of its operations and that it would take a while to build that up. He added he would have a difficult time supporting any motion that would terminate the agreements “mid-term” or before their term expired.

Commissioner Holt asked Mr. Lawson the ramifications of ending the contracts before the expiration.

Mr. Lawson explained if there were ongoing projects, there would have to be time given for transition, especially if there were outstanding legal issues.

Commissioner Holt stated she did not see any major projects in the works at this time and would like to see in writing what they might be.

Commissioner Morgan said to Commissioner Hinson that people seemed to direct him in the way he considered his decisions and he wanted to express his opinion. He said when making decisions concerning what vendor they select to do business with or what services they were to provide, that cost was at the forefront of that and he added that he thought the Board would agree that during the last 5 years, the cost of services had been drastically reduced. He added that both the County Attorney and the engineering firm had gone above and beyond what their contract called for and some things had been provided to the County at no charge. He added “The reason that is, is because we have established a time certain in our relationship where we can work together and when you have discussions such as we’re having tonight, it can potentially undermine that relationship. What you find is, all of a sudden, your services might not be as, they may not be as committed to that relationship. I don’t think they would in any way diminish the services that they are providing, but the reason you have a time certain of three years is because you want to maximize the efficiency and you want to reduce the cost to the public. Whenever you’re talking about doing what we’re doing mid-stream, changing horses or considering changing horses, that

puts an undue burden on staff. They have to do all this research and send out the RFPs and there is so many other things that have to be done, that it slows down efficiency in county government and we can't respond to the public like we need to do or as quickly as we need to do in a lot of cases. Granted, it's very important to send out RFPs when the time comes to do that, or if we have a vendor who has had blatant issues and we have a reason, that's why you have that 30-day out-clause. If they are doing something that is blatantly wrong in our opinion as a whole, we should have the option to getting out because that's not a wise investment of taxpayer dollars. To this point, I'm unaware of any of these vendors doing that. It has not been brought to my attention and I haven't heard it around this Board. I think we have gotten excellent service and have really good partners. What you do when you consider actions like this is in the future when we issue RFPs, a lot of quality companies refuse to bid because of the fact that the way we handle ourselves as a County, they do not want to do business with us. So those are things to consider as you move forward on issue like this. I understand the importance of the value for every dollar, look at those services on a three year basis, or two year or whatever it is, that's very important. But to do what we are considering here tonight is not the right thing for the public. It is not the right thing to do. So I want to make sure you are well-versed on that. I've held my tongue ever since you've been up here as far as you making your decision. I think you should, but since you're being guided here, I wanted to make sure you heard that end of the story and I will leave with that, Mr. Chair. Thank you."

Commissioner Hinson stated if his voting record were looked at, he's never been guided, but he believes in listening to all of his colleagues on the Board. He added that he had no problem with the county attorney or the engineering firm that was in place now and in having this discussion, "if you were on the outside looking in", there's a reason why they were debating so hard on this topic. He went on to add that he did not feel that they needed to deal with the audit firm at all for the time being because they were looking out for the County's best interest, but if everyone else felt as if all three services needed to have an RFP put out, then that was a vote they would have to take when they were ready to vote on it.

Commissioner Taylor stated it was not her intention to interrupt anyone mid-stream, that they needed to complete the process, but the RFP needed to be started now so when the end of the year came, they would be ready to move forward.

Chair Croley indicated he did not have a problem in periodically reviewing the contracts for any of the professional services, but said the question was "when you do it." He added if he understood her correctly, what Commissioner Taylor was proposing was interrupting the agreements mid-term. He further explained that Mr. Lawson would need to pace himself, that this was a very complicated process of the rebidding of the professional services.

Commissioner Taylor replied, "Could I say this to you, Commissioner Croley? This is not the first time auditing services, engineering services and legal services have been bidden out from the Procurement Office. They do not have to start from scratch over there. There are bid packets and bid specs already established over there. It's a matter of listening to what the Commissioners are asking for now. So the work isn't tedious. It might take us a couple of meetings to get him what he wants. So I want to get that out there as far as what needs to be in the content, or how much work is involved. It's not that much work as it is gathering the information. There's already a template in place for all three of these firms. Now, as far as when to stop it, now, I am wanting to see it stopped and we look at a new firm. We can start our fiscal year anytime we want with these

firms. We have a contract with them that ends in 2014 and we're saying at this point and time, let's go out for RFP hoping that these people who have these services with us will re-apply. I'm simply saying let's get into a competitive mode. We can set our fiscal year whenever we get ready. It's just that fiscal year now in the contract because that's when we went into the agreement. There is no great time to re-negotiate because you are right. Anytime you do this, you are still going to have services that they need to do, even in 2014, they are going to be in the mist of something. So there's no real good time for it. But you have to take a stand and say 'Listen, you've got a new Board, let's get together, let's look at all three of them together'. Re-establish the date; give notice that we are doing this. I want to put all three out for RFP and that's where I'm at. Now, I can go forward and that's just what I think we need to do right now. I have been defeated by a vote before and that's fine. I'm going to stand on those principles. We can start a new end date per what this Board wants by a simple majority vote. It doesn't have to be in March of next year. I'll be quiet."

Commissioner Morgan believed the reason for terms in the contract was so people who did respond could make reasonable, sound business decisions when they reply to the RFP. He added that businesses might be willing to offer their services at a lower rate in order to have the business for a certain length of time with the county. He added "What I'm trying to highlight here is, when you go in mid-term, like is being proposed here to look at these services again, you are degrading the value of that agreement. That's what's going on there. What happens, what I'm trying to say, in the future, when you go out and respond in the future, very qualified companies, word gets out very quickly and you may not have the best companies willing to respond. In that being said, we aren't doing the right thing for the public, because we don't have the best companies potentially that are willing to respond. Because they are saying, 'OK, we're giving you three year quotes on this businesses and a year from now for no reason, y'all may kick us out.'"

Commissioner Hinson had comments.

Commissioner Taylor made a motion to place the three services out for RFPs to begin immediately.

Mr. Presnell asked that they consider giving staff time to stagger the RFPs.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT TO ISSUE RFP'S FOR AUDITING, ENGINEERING AND ATTORNEY SERVICES ON A STAGGERED BASIS AND IN A MANNER TO NOT ALLOW NEGATIVE FINANCIAL REPERCUSSIONS THAT WOULD HURT THE COUNTY, THE BOARD VOTED 3-2 BY VOICE VOTE. CHAIR CROLEY, COMMISSIONERS MORGAN AND HINSON OPPOSED. MOTION FAILED.**

*Commissioner Morgan stepped out at this juncture of the meeting.*

Chair Croley stated it was his opinion that the Commission would like to entertain RFPs on each of the professional services at the end of the individual contract periods.

Commissioner Holt said that was not the intent of the Board and added that the Motion had failed, but other related motions had not been made yet.

*Commissioner Morgan returned at this juncture of the meeting.*

**13. Approval of Joint Participation Agreement for Gateway Signage and Landscaping Project (CFSA 55.023)**

This will fund projects on U.S. 27, SR 267, US 90, CR 270A and SR 65 and funding for the construction is \$142,866.00 and is to be completed by June 30, 2014.

Mr. Presnell introduced this item and stated it was for a Joint Participation Agreement for Gateway Signage and landscaping project and this would allow signs to be constructed at each of the major roads coming into the County with beautification.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

**14. Approval of Matching Grant Application for Ambulance Stretchers and Comprehensive Back Injury Prevention Program**

Mr. Presnell introduced the item and stated it was for approval of a matching grant and they would be applying on two fronts, the first round would require a \$17,000 match and the other grants program would be for \$43,000 match and the funds were available.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**COUNTY ADMINISTRATOR**

**15. Update on Board Requests**

Mr. Presnell stated the contract for the Magistrate would be signed the next day and it would be on the agenda for the next meeting.

**COUNTY ATTORNEY**

**16. Update on Various Legal Issues**

Ms. Minnis stated she had no updates at this time.

**National Solar**

Commissioner Taylor asked about the National Solar contract and Ms. Minnis stated she had not heard from them and she would contact them.

**County Attorney Bills**

Commissioner Holt asked for clarification of the bills submitted to the County by the attorney.

Ms. Minnis said, "Basically, what we do is what we do with a lot of our clients. We give you an itemized bill of all of the services we provide. There are instances where services are, the cost of the services are deducted or an item that may have been worked on is not billed to the County because we are very mindful of all of the fiscal issues and want to be a bit steward of the county's

money. Basically, a lot of the information that you see itemized is a part of the retainer; there are certain items that go over the retainer. One example is the 'sumo uno' case, which is a specific piece of litigation and that's why the bill is a little high this month, because we're having to deal with that particular litigation instead of creating a separate number for you, we've just kind of rolled it into the one bill. Each month we do discount the bill, in addition to discounting the number of hours actually worked, we also discount among the attorneys so you are not charged the highest fee for any of the work over the \$7500. So we do quite a bit of discounting before the bill goes out."

Commissioner Holt:

"OK, Mr. Chairman, for the attorney also. So when Commissioner Croley and Commissioner Lamb called you about that "horse case", you charged us?"

Ms. Minnis:

"I put down, if I have a phone call with a Commissioner, I put it on there. It doesn't matter who the Commissioner is..."

Commissioner Holt:

"OK, I'd like to see those records please."

Ms. Minnis:

"It's just itemized and listed if I had a conference with someone on the phone, if someone sent me an email, if it's something that just a couple of seconds, you're not going to see it on there, but if it's something I had to read it, consider it, maybe make a response or get back with the individual..."

Commissioner Holt:

"Well, good. I'm saying I'd like to see those records also. One other question I'd like, also, when I'm looking at this, I don't remember getting conference call charges. I know with the previous attorney, law firm, we sent them to Washington, DC three times, to Atlanta once, Federal Court in Tallahassee twice, County Court and there was a lot of things that had to be done there, built all those roads and fire stations. He negotiated all that but what I wanted to know is I've never seen a bill for just a phone call to ask a question, in all that time. That's why I was so shocked. I was, OK, so it's 20 minutes or 10 minutes. I understand what you are saying with what your policy normally is, but I'd just never seen it."

Ms. Minnis:

"We want the client to know what we are doing, we itemize everything. Not all attorneys do that."

Commissioner Holt:

"I'm not saying that you bill or don't bill for it, I'm just saying I've just never been...I don't think we've ever been billed for it that I can find."

Ms. Minnis:

"Just for clarification of the fact it might not be itemized doesn't mean that it's not part of your bill. We just have a practice..."



Commissioner Holt:

“I’ve gone through the previous attorney’s bills too.”

Ms. Minnis:

“We have a practice of being transparent with the clients so they know what activities we are engaged in on their behalf.”

#### **DISCUSSION ITEMS BY COMMISSIONERS**

#### **17.**

##### **Commissioner Morgan, District 3**

Commissioner Morgan stated he had several very serious items to address concerning the overall direction of the county government, how things were done, how decisions were made and he stated it was so troubling for him personally. He stated, “I will tell you guys, I have never been part of an organization or a team or a Board, or whatever you want to refer to us as, that functions or doesn’t function like this one. I’ve been on here five years and we have our highlights of good things, we’ve done many good things, but how business is done, it’s just amazing. The longer I’m on here and how I understand and see how things work, I’m just flabbergasted. I tell you, Gadsden County is so unique, number one in a lot of good ways, we have so many strengths, good people, great place to live and at the same time we hold ourselves back like no place I’ve ever seen because of the way things are done and because of how everything is related to race, or how long somebody has lived in the county, or what their net worth is. It’s just amazing to me at how things are done, the politics that are involved. You know, and hopefully, when we have our retreat, we can try to improve on some of that. But I’ll tell you, when you lose hope, you really lose everything and I’m not sure that I have a whole lot of hope left on how we go about doing things and getting things done and that’s a shame. Don’t get me wrong, I’m not going to give up, I enjoy serving the public. I’m going to keep on doing it the best I know how to do it and agree and disagree when we need to, but always trying to hold up doing things right, not just claiming to want to do them right, but actually doing them right and being honest and forthright. I think it’s important. Everybody wins when we do that. But as long as people think that they can’t be better than they are, they never will be. I just want us to keep that in mind as we go about our business. By the way, I’ve been to several different county commission meetings throughout the State of Florida, I don’t know whether you guys have or not, and local meetings, even within Gadsden County and outside of Gadsden County. I will tell you, if you have never done it, you really ought to because you would be amazed at how those business meetings, and they are **business** meetings, how they proceed and how they go and the result of them as it compares to how we function. I really appreciate those that have sat in that chair right there (pointing to the Chairman) and I think it’s everybody up here, I know Commissioner Holt has done it, maybe even more than once. I know Commissioner Taylor has done it for two years at least, I know now obviously with Commissioner Croley. I applaud all of you for being able to do that because I can tell you right now, I couldn’t do it. So, but, that’s a genuine concern and I hope that at the right time I will be able to address that in detail and specifically.

But, on a better note, I will say that in the economy that jobs are limited, resources are limited, money is limited, revenues are down, I am happy to tell you, the public here, that the largest employer in the County currently is hiring. So don’t let it be said that we’re not. There are 80+ positions that are currently open at Florida State Hospital and have been for quite a while. They

are doing some great and wonderful things over there and they are responding to the current environment that they have been put in and doing it very well. So, I think we ought to learn from that in some ways.

There are also some local municipal bodies that we have here in Gadsden County that do an extremely good job of managing the money, managing the meetings and I think that we can learn from them if we will take a minute to do it and it doesn't take a genius to figure out which ones I'm talking about if you look throughout the county. That being said, Mr. Chair, I appreciate it. Thank you"

**Commissioner Holt, District 4**

**Tourist Development Council**

Commissioner Holt stated she had spoken to the Administrator concerning the TDC kiosk that was to be placed in the towns and was told that the RFP was issued but the bid was costly and she added that it was not as she had envisioned.

Commissioner Morgan responded that he thought she would be happily surprised at the progress the TDC was making in regards to that. He added that what they were hoping to spend on the kiosks for each municipality, the one response they had was for one kiosk for that entire amount. He further added they were going to tighten up and re-issue the RFP and it will include some of the things that she had envisioned. He added that Arthur Lawson, Shelia Faircloth and Sonya Burns should be applauded for their quick turn-around on getting the bid out.

She also stated she had spoken to other city managers to see what they were or were not doing with the TDC.

**Friendship Park**

She said Friendship was upset with not receiving the park and she added they were planning a community meeting to form a steering committee to look into applying for grants for improvements and a park in that area.

Mr. Presnell added they will be seeing some of the improvements they were able to do in-house, such as landscape timbers, bark, new swings and chains and they had someone looking into applying for a block grant.

**Grant Writing**

She added that they needed to look at adding someone who could do grant writing. She stated if the Board had someone that was going after money and that was their only contact with the Board, they would not have to pay them any healthcare, retirement, etc.

Mr. Presnell replied if she met someone or had someone in mind to have them contact him.

**Commissioner Taylor, District 5**

**Fiscal Constrained Dollars**

Commissioner Taylor stated around this time of year the County would receive rural development dollars, money received through the legislature that dealt with small county rural development dollars.

Commissioner Morgan stated it was “fiscally constrained dollars”.

Commissioner Taylor asked when the money would be received.

Jeff Price came forward and stated that it should be within the next month or so and usually it was around 1.2 million.

Commissioner Taylor asked if there were surplus dollars left after the budgeted items and asked what that total amount was.

Mr. Price answered approximately \$150,000-\$200,000.

She wanted to make a motion to use those funds to sponsor students with summer employment and would like to have that item added to the agenda on the 3<sup>rd</sup> Tuesday in April or the 1<sup>st</sup> Tuesday in May.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE AGENDA, THE BOARD VOTED 4-1 BY VOICE VOTE TO ADD THIS ITEM TO THE AGENDA. COMMISSIONER MORGAN OPPOSED.**

**Private Road Adoption Program**

She added she had had a conversation with Public Works concerning private roads and with the rainy weather that had been experienced recently; it had been very costly to the County with the upkeep as well as the residents in getting in and out. She made a motion that they revisit issues of adopting private roads. Motion died for lack of second.

**Quincy Shuttle**

She added the City of Quincy did approve the Shuttle for the entire year. She asked that they consider allowing her to work with the City in looking into getting the routes extended.

Chair Croley commented that there had been discussion previously regarding this and that he appreciated her interest in the Shuttle. He added they were trying to get service to the outlying areas and there was a grant that paid for that. He stated if they were putting the money and effort out, why they would not want to match the grant to take the services all over the county for the benefit of all the citizens.

Commissioner Taylor added this was the County seat and people came from all over to do business here and when they come, they get on the shuttle, but the program in place was not perfect and there needed to be a body at the table to discuss it so the services could be improved, but the body did not have to be her.

Commissioner Holt stated she had no problems with proposals, but she wanted to hear the best ones.

Commissioner Taylor stated this would come back for discussion at a later time and she would like to be the liaison.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT FOR COMMISSIONER TAYLOR TO BE PRESENT AT NEGOTIATIONS REGARDING THE CONTRACT AND BE LIAISON, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE. CHAIR CROLEY OPPOSED.**

She added she was sad the RFP issue failed because it would cost the county later.

**Commissioner Hinson, Vice-Chairman, District 1**

Commissioner Hinson commented that regarding the transportation issue, they should cut out the middleman. He mentioned that he had spoken with someone that worked with StarMetro and they told him the County could purchase a used bus from StarMetro and StarMetro would do the maintenance on it, they would hire the driver and it could save the County roughly \$50,000.

Chair Croley stated the executive director of StarMetro sat on the CRTPA board and stated it was through StarMetro that the County had been able to obtain the grant through the federal government.

**Commissioner Croley, Chairman, District 2**

Chair Croley asked to clear up that he had no personal animosity with anyone on the Board, but there were times that everyone got passionate about certain items. He asked that they be mindful that they did not live in a vacuum and that people were watching what the Commission did and what was going on within the County. He added with the Board getting into 3-2 votes, it reminded him of when he first joined the commission. He added that while he may not be in the prevailing majority regarding some of the changes, the meeting would be run in accordance with the rules that the Board had passed and they would be followed accordingly.

**RECEIPT AND FILE**

**18.**

- a. For the Record: Gadsden County/2012 Annual Report
- b. For the Record: Letter from Florida Division of Emergency Management Regarding Local Mitigation Strategy Annual Request for Update

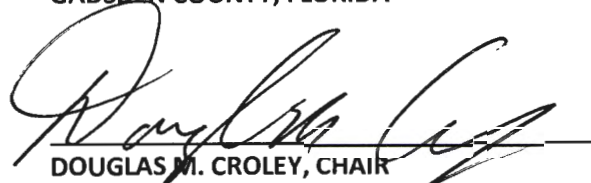
**March Meeting(s)**

- April 2, 2013, Regular Meeting, 6:00 p.m.
- April 16, 2013, Regular Meeting, 6:00 p.m.

**MOTION TO ADJOURN**

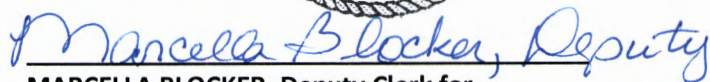
THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED  
THE MEETING ADJOURNED AT 9:11 P.M.

GADSDEN COUNTY, FLORIDA

  
DOUGLAS M. CROLEY, CHAIR  
BOARD OF COUNTY COMMISSIONERS

ATTEST:





MARCELLA BLOCKER, Deputy Clerk for  
NICOLAS THOMAS, CLERK OF COURT  
GADSDEN COUNTY, FLORIDA

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON APRIL 2, 2013, AT 6:00 P.M.,  
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

Present: Chair Doug Croley-District 2, Chairman  
Eric Hinson-District 1, Vice-Chairman  
Gene Morgan-District 3  
Brenda Holt, District 4  
Sherrie Taylor, District 5  
Nicholas Thomas, Clerk  
Deborah Minnis, County Attorney  
Robert Presnell, County Administrator  
Marcella Blocker, Deputy Clerk

**\*\*\* NOTE: THERE WERE TECHNICAL DIFFICULTIES WITH PORTIONS OF THE RECORDING OF THE  
AUDIO/VIDEO OF THIS MEETING\*\*\***

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to order at 6:10 p.m. He asked everyone to stand for prayer and the pledge of allegiance to the U.S. Flag.

**AMENDMENTS AND APPROVAL OF AGENDA**

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD  
VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. ~~Know No Pail Presentation~~**

This item was removed from the agenda.

**CLERK OF COURTS**

**2. County Finance and County Clerk Issues**

Commissioner Taylor asked Clerk Thomas questions regarding the audit draft the Board had received and asked when the final audit could be expected.

Clerk Thomas informed the Board that the draft was due to them by March 31, 2013 and was sent to them for informational purposes. He further explained the final report should be received by them within the next two meetings.

Commissioner Morgan stated he had not had a chance to review the draft at length and asked if

there were any outstanding issues the Board should be concerned with.

Clerk Thomas explained to the Board that the fund balance was up, the Board was in a good position and that it should enable them to manage some of the long term issues without imposing any new taxes.

### **CONSENT**

**THERE WAS A MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN TO APPROVE THE CONSENT AGENDA, BEFORE THE VOTE WAS TAKEN, COMMISSIONER TAYLOR ASKED TO PULL ITEMS 5 AND 9. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE ITEMS 3, 4, 6-8 AND 10.**

- 3. Approval of Minutes-**  
-March 5, 2013-Regular Meeting
- 4. Ratification of Approval to Pay County Bills**
- 5. ~~Approval of Commissioner Croley and Commissioner Hinson's Travel to the National Association of Counties (NACO) Annual Conference~~**  
Pulled for discussion
- 6. Approval of Performance Agreement with Life as Art Productions**
- 7. Approval of Signatures for Special Assessment Liens and Rehabilitation Contracts-State Housing Initiative Partnership Program (SHIP) and BOCC Emergency Repair Program**
- 8. Request Approval of a Membership Agreement with National Joint Powers Alliance (NJPA)**
- 9. ~~Clarification of Previously Approved Department of Economic Opportunity (DEO) Technical Assistance Grant Award Amount and Funding of Kimley Horn and Associates Individual Project Order (IPO) Number 2012-1~~**  
Pulled for discussion
- 10. Approval to Execute Updated Application with the Florida Municipal Insurance Trust (FMIT)**

### **ITEMS PULLED FOR DISCUSSION**

- 5. Approval of Commissioner Croley and Commissioner Hinson's Travel to the National Association of Counties (NACO) Annual Conference**

Commissioner Taylor asked if there was adequate funding in the budget for both Chair Croley and Commissioner Hinson's travel to Fort Worth, Texas to attend the annual conference.

Mr. Presnell explained there was \$2100 budgeted for the travel and added they could do a budget amendment to insure there were sufficient funds.

Commissioner Taylor stated that she had no problem with them attending the meeting but thought this item should have been in a different place on the agenda.

Chair Croley pointed out this was simply approving Commissioner Hinson's request to attend the meeting and before the actual travel occurred, it would be brought back before the Commission for approval of the funds.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE TRAVEL FOR THE CHAIR AND VICE-CHAIR TO ATTEND THE CONFERENCE.**

**9. Clarification of Previously Approved Department of Economic Opportunity (DEO) Technical Assistance Grant Award Amount and Funding of Kimley-Horn and Associates Individual Project Order (IPO) Number 2012-1**

Commissioner Taylor asked for an explanation for the difference from \$35,000 initially granted and why the grant was now \$30,000.

Mr. Presnell explained the Board had approved the grant from DEO to work on mapping changes, but before the funds had been received, the amount of the grant had been cut because of a funding shortage and the extra needed money would come from planning services to make up the difference. He explained this was simply to approve the corrected amount.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CORRECTED AMOUNT OF THE GRANT.**

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

There were no citizens requesting to speak.

**PUBLIC HEARINGS**

**GENERAL BUSINESS**

**11. Approval of Services Contract for Special Magistrate**

Mr. Presnell introduced the above item and explained it was for approval of the contract for services of a special magistrate that would deal with problems with on-going code enforcement issues. He explained the contract had been negotiated with the former County Judge Stewart Parsons for an hourly rate.

Commissioner Holt asked who would be responsible in setting the schedule for the hearings and Mr. Presnell informed them the Board would be responsible for that task.

Commissioner Taylor mentioned that they needed to ensure that their policy and procedures were in place to enable the Magistrate in properly doing his job.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONTRACT WITH THE SPECIAL MAGISTRATE.**



**COUNTY ADMINISTRATOR**

**12. Update on Board Requests**

**Code Enforcement Issues**

Mr. Presnell informed the Board there was now a database available to track code enforcement problems and the program was up and running as of this week.

Commissioner Holt asked how often reports would be received and added that she did not want individuals to feel as if they were being singled out with problematic issues, but this was a matter that needed to be dealt with.

Commissioner Morgan asked if there was a line item in the budget to help fund the issues that would come before the Board as a result of the magistrate and for example, he added, if there was a case that came before the magistrate and the landowner was either not capable of or refused to comply with the Magistrate and the County were forced to put a lien on the property, it could put the County in a bind of having the issue resolved and the next step would be for the County to send Public Works crew to the property to address the issue and that costs would be incurred and he was of the opinion that a line item needed to be in the budget to have funds available when that matter came up. He added it would then become the issue of collecting the funds from the owner.

Commissioner Holt stated it would be beneficial to workshop this matter to help educate people on the process, what this would entail and what it would mean down the road to have liens placed on the property.

Commissioner Taylor said the Board needed to do more than putting liens on the property and added it was her opinion the Board needed to have language in place that if the liens were not paid, the County could become the owner of the property and then would be able to sell it to recoup their money.

Commissioner Hinson asked that the Board keep in mind that there were a lot of folks who had lost their jobs and might not be able to afford to clean up their property and the Board might need to be sympathetic.

Commissioner Taylor added she wasn't being insensitive to those who had lost their jobs, the property she was referring to was property that had not been in compliance for 3-5 years and had been abandoned.

**Broadband Internet Program**

Chair Croley asked for an update on the broadband internet resource.

*Commissioner Taylor stepped out at this juncture of the meeting.*

Mr. Presnell explained there had been problems in the past but things were back on track and were scheduled to be completed by early summer.

*Commissioner Taylor returned at this juncture.*

Charles Chapman spoke to the Board regarding the broadband internet issue and explained the County had been awarded \$24 Million from the federal government and since that time a study had been performed in trying to secure the best prices for the infrastructure. He explained the build-out was anticipated to be finished June 15<sup>th</sup> and was being built from west side to east side in our region within the next few weeks and a terminal should be located in Gadsden County very shortly.

Chair Croley asked how this would help the citizens reduce the cost of internet service.

Mr. Chapman expanded that the best illustration he could give was “imagine if Progress Energy was able to drop their wholesale rates for utilities and the end-buyers such as the City of Quincy was able to afford their wholesale purchase at a lower rate, then they would in turn be able to sell back to the public the utility rate at a lower rate.”

*Commissioner Taylor stepped out at this juncture of the meeting.*

Chair Croley said it sounded like a great thing and there had not had an update for some time.

*Commissioner Taylor returned at this juncture of the meeting.*

Commissioner Taylor asked if the summer employment item would be on the next agenda and if the contract was ready on the Quincy Shuttle.

Mr. Presnell answered that the summer employment item was on the next agenda and the contract was not ready at this time on the Quincy Shuttle.

## **COUNTY ATTORNEY**

### **13. Update on Various Legal Issues**

Ms. Minnis stated the emergency management agreement would be on the next agenda for their consideration.

Chair Croley asked for an update from Mr. Presnell on the jail locks.

Mr. Presnell said they were on hold pending a meeting scheduled within the next couple of days to discuss issues with the facility next to the jail. He stated there would be more to report after the meeting and he would keep the Board informed.

## **DISCUSSION ITEMS BY COMMISSIONERS**

### **14.**

#### **Commissioner Morgan, District 3**

Commissioner Morgan had nothing to report.

**Commissioner Holt, District 4**

Commissioner Holt suggested they look for grant money for emergency management in retrofitting the hospital.

**Ingress/Egress Issues**

She also stated there had been several communities built recently with “one way in, one way out” and she was aware it was more of comprehensive plan issue and land development issue, but it needed to be looked into so there would not be new communities built that way and in case of an emergency, it would avoid people being stranded.

**Mapping Workshop**

She stated there was a need for another mapping workshop.

Mr. Presnell said the next workshop was scheduled for next Thursday night with the Planning and Zoning Commission and those issues were on the agenda.

**Florida Association of Counties**

She asked for letter of support from the Board and informed them of her intent to run for Executive Vice President of the Florida Association of Counties.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE A LETTER OF SUPPORT.**

She commented it was a good idea to know where the hazardous areas were located in the neighborhoods in case of emergencies.

**Commissioner Taylor, District 5**

Commissioner Taylor said the emergency management meeting had a lot of great information and asked that when the second part of the workshop was scheduled to maybe do so in the morning or midday.

**RFP FOR ATTORNEY SERVICES**

She asked that they send out an RFP for attorney services.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, BEFORE THE VOTE THERE WAS DISCUSSION.**

Chair Croley stated he understood that RFPs for any of the services would go out in a timely enough manner for the Board to have a chance to review and make decisions before the contract expired.

Commissioner Hinson stated he did not have time to review the matter and do research and would like to have time to do so before voting on this.

Commissioner Morgan asked if the same motion could be brought up at every meeting or if there was a time limit to the number of times a motion could be made regarding an issue.

Ms. Minnis replied she was not aware of a time limit in either the County Ordinances or in Robert's Rules of Procedure.

Commissioner Taylor stated for clarification, the previous motion had been for all three services and this motion was strictly for an RFP for attorney services.

Commissioner Holt said she seconded the motion from an economic standpoint.

Chair Croley said he agreed with Commissioner Hinson for the reason that they had voted already to issue an RFP on all three contracts, heard staff explain the need to stagger them and to be business consistent in the way that the RFPs would be handled and it seemed to him to be the best course. He told Commissioner Taylor he agreed with her on the rebidding, but he did not agree with it being done mid-term.

Chair Croley stated that procedurally there was a motion on the floor seconded by Commissioner Holt and called for the vote.

**THE BOARD VOTED 2-3. COMMISSIONER HINSON, COMMISSIONER MORGAN AND CHAIR CROLEY OPPOSED. MOTION FAILED.**

#### **Private Roads**

Commissioner Taylor asked that the Board look at the language and relieving costs to constituents in the costs of scraping and upkeep on dirt roads. She asked that the Board direct staff to look at the language and how to proceed in a private road adoption program to give taxpayers relief.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-1 BY VOICE VOTE TO INSTRUCT THE ADMINISTRATOR TO DO RESEARCH ON ADOPTION OF PRIVATE ROADS IN OTHER COUNTIES. COMMISSIONER MORGAN OPPOSED.**

#### **Commissioner Hinson, Vice-Chairman, District 1**

Commissioner Hinson stated today was a great historical moment-there had been great dialogue with the Board today. He stated he had learned to agree to disagree.

He stated he wanted to look into Board protocol with the rules of procedure.

He thanked staff for doing a great job with responding to the communities in regard to mosquito control after the recent heavy rains.

*Commissioner Taylor stepped out at this juncture of the meeting.*

*Commissioner Taylor returned at this juncture of the meeting.*

He stated for the record he loved everybody and was glad to see the camaraderie around the board.

**Commissioner Croley, Chairman, District 2**

**CRTPA Update**

Chair Croley stated there had been a meeting last Monday and Highbridge Road had been discussed concerning the widening and improving the safety of the road. He stated there had been a decrease in asphalt millings because of abuse with the DOT program in other counties and added he would be having a meeting with “higher ups” to attempt to get a policy in place regarding the allowance of rural counties to be able to have access to asphalt millings.

**By-Pass**

He added they were able to advance to the second phase of the by-pass, but there had been a little delay because of the widening of Highway 319 from Highway 98 in Wakulla County.

**Economic Development**

Chair Croley informed the Board of a presentation from a Department of Transportation administrator, Ron Flores, and he shared that a good bit of the money would be going to seaports in Florida and it was discovered in listening to his presentation, that the Big Bend area was basically in a “fly-over” zone. He informed the Board that the closest port was in Port St. Joe. He also reminded the commissioners they were hurting because of lack of railroad capacity.

**RECEIPT AND FILE**

**April Meeting(s)**

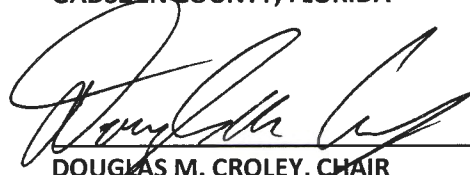
-April 16, 2013, Regular Meeting, 6:00 p.m.

Gadsden County Board of County Commissioners  
April 2, 2013 – Regular Meeting

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED  
THE MEETING ADJOURNED AT 7:28 P.M.

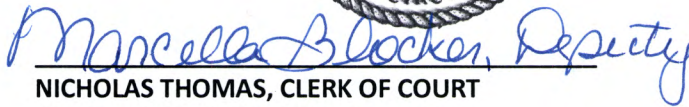
GADSDEN COUNTY, FLORIDA



DOUGLAS M. CROLEY, CHAIR  
BOARD OF COUNTY COMMISSIONERS



ATTEST:



NICHOLAS THOMAS, CLERK OF COURT  
GADSDEN COUNTY, FLORIDA

**AT THE REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON APRIL 16, 2013, AT 6:00 P.M.,  
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

Present: Doug Croley-District 2, Chairman  
Eric Hinson-District 1, Vice-Chairman  
Gene Morgan-District 3  
Brenda Holt-District 4  
Sherrie Taylor-District 5  
Nicholas Thomas, Clerk of Court  
Deborah Minnis, County Attorney  
Robert Powell, County Administrator  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to order at 6:00 p.m. and asked everyone to stand for prayer and the pledge of allegiance to the U.S. Flag.

Chair Croley asked the Commissioners for cooperation in moving forward with a lengthy agenda.

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Croley asked if there were any amendments to the agenda and Mr. Presnell asked to remove Item 4 from the agenda and announced it would be presented at a later date.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD  
VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA WITH ITEM 4 BEING REMOVED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

There were no awards, presentations or appearances.

**Clerk of Court**

**1. County Finance and County Clerk Issues**

Clerk Thomas had nothing to report.

**CONSENT**

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD  
VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA**

**2. Approval of Minutes**

-March 19, 2013 – Regular Meeting

**3. Ratification of Approval to Pay County Bills**

**4. ~~Approval of Support Letter to Dedicate the Quincy By Pass (Upon Completion) as the Julia  
Munroe Woodward Memorial By Pass~~**

Item removed

**5. Approval of the Emergency Management Inter-Local Agreement between the Gadsden County Sheriff's Office and Gadsden County Board of County Commissioners**

**ITEMS PULLED FOR DISCUSSION**

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

Chair Croley asked if there were any citizens wishing to speak.

**Forrest D. Freeland, 289 Mockingbird Road, Chattahoochee, FL** stated there were three complaints he had:

- There was a property on Hardaway Road that was being used as an office of some type and it was in deplorable condition and asked the Board to look into the matter.
- On County Road 65-D, part of the road was painted and another part not painted and was a dangerous condition for the citizens.
- Years ago, there was a commissioner that promised the citizens of the county that there would be no unpaved roads in the county-his road was not paved yet.

Chair Croley asked Mr. Presnell to contact Mr. Freeland and look into the matters.

**Glenda Norvell, 3817 Tallavana Trail, Havana, FL** appeared before the Board to tell the Board 'thank you' and to let them know of the appreciation of their support last year for Literacy Volunteers of Gadsden County last year.

**Mrs. Mary Smith, 3137 Atwater Road, Chattahoochee, FL**, stated she had a problem with elected officials that once elected, they should work for everyone, not just some of the people. She asked that everyone work together, that everybody needed shelter, clothing and food. She informed the Board that she had problems with children in her neighborhood destroying her property.

**PUBLIC HEARINGS**

**6. Public Hearing-First Reading-Transmittal of Comprehensive Plan Text Amendments to Policy 1.1.5(B) Rural Residential and Policy 1.1.5(C) – (CPA-2013-01)**

Mr. Presnell introduced the above item and stated this was the first reading of the Transmittal of Comprehensive Plan Text Amendments to the policy and this would allow non-residential users such as churches, to be in AG2 and if they wanted to get a building permit to add on or make improvements to the Church, this would allow them to do so if they had at least one acre if they were on central water and sewer or three acres if they were on a septic tank.

Chair Croley announced this was a public hearing and asked if there were any citizens that requested to speak and there was no-one.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, BEFORE THE VOTE WAS TAKEN, THERE WAS DISCUSSION.**

Commissioner Taylor asked where the number on the acreage came from and Mr. Presnell explained if the Board moved to change this to one acre, the only time there would be a conflict



would be if the Church was located or someone proposed a new Church in non-residential use in AG land in a wetter area where septic tanks are required, they would need three acres to get the permit.

**THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CODE CHANGE.**

**7. Public Hearing-Second Reading-Ordinance to Amend Section 6600 – Immediate Family Exceptions (IFE) of the Gadsden County Land Development Code (LDC) to allow the sale of IFE Residences**

Mr. Presnell stated this was the second reading for this item.

Chair Croley announced this was a public hearing and called for any citizens who wished to speak and there were none.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

**GENERAL BUSINESS**

**8. Extension of Hospital Lease/County Use of Sale Tax and Trust Proceeds**

Mr. Presnell stated this item was to seek Board approval of the First Amendment to the Lease Agreement between Gadsden County, Gadsden Hospital, Inc. ("GHI") and Capital Regional Medical Center ("CRMC")

**Michael Glazer, Assistant County Attorney, Ausley McMullen Law Firm, Tallahassee, FL, appeared before the Board.**

Mr. Glazer:

"Good evening, Commissioners, I'm Michael Glazer, Assistant County Attorney of Ausley McMullen in Tallahassee. I have the pleasure of being before you again this evening and we do have a couple of hospital-related items this evening that are the culmination of several months of work between your County staff, Clerk Thomas and his staff, the board of Gadsden Hospital, Inc. (GHI) and the folks from Capital Regional Medical Center (CRMC). I know they are on their way, I think the agenda is actually moving a little quicker than they thought so they are not here yet, but I'm going to go ahead and press forward with the agenda item. "

*Commissioner Morgan stepped out at this juncture of the meeting.*

"The first item is a hospital lease amendment that we are going to propose to you this evening, because we do have an extensive lease between CRMC, Gadsden County and the Gadsden Hospital, Inc. (GHI). This particular lease amendment that we are proposing this evening has two primary sections, well, two sections. First, there is an extension of the initial term and the second item is an opportunity to retain hospital trust income that is currently being paid by the County to CRMC to help underwrite some of the care that they provide. I'll get to that item in a minute. But that's an opportunity to keep about \$140,000 a year that the County is now currently paying to CRMC. But let me start with the first item, the extension of the initial term. Under the existing lease, the initial term for the lease is five years-that is for the period of June, 2010 through June, 2015 and has automatic 5 year renewals. The lease extension is really quite simple-it extends the initial term to ten years instead of five so the initial term of the lease would be June, 2010 through

June 2020, it would continue to contain the provision that has automatic five year renewals unless either party opts to terminate the lease at the end of that initial term. There are several reasons that CRMC has requested this lease extension and this was actually a request by them to us and not the other way around. First, under the current terms of the lease, the County has to notify CRMC of the non-renewal 12 months before the end of the initial term. So, in other words, if the County wanted to opt out of the lease under the current terms, we would have to notify CRMC by June of 2014. With the extension that would be extended to five additional years of our option to notify them of non-renewal of the lease.”

*Commissioner Morgan returned at this juncture of the meeting.*

“CRMC has an option to not renew six months prior to the end of the initial term. That’s really not affected by this particular provision because, frankly, the lease also allows them to get out at this point in the lease, on six months’ notice regardless of when the term ends. So this really affects primarily when the County will have the option to notify them that the renewal would not be exercised. But, the reason for this extension is it helps solidify the partnership between the County and CRMC and encourages future activities. One of those future activities is actually the next agenda item. What this is doing and the reason CRMC has requested it, is it would provide them with some additional security, frankly, that they are not going to be displaced by the County and gives them the confidence to move forward with some new projects and some expansions of their services in Gadsden County without fear, if you will, that the County will terminate the lease at the end of their first five years. In return for this, the lease extension provides for the opportunity for Gadsden County to retain some hospital trust income. I need to refresh your recollections on what exactly how all of this works, so if you will bear with me just a moment, I’ll move through this quickly. Currently, the County pays CRMC from 2 sources, first, the income from the hospital trust, that’s approximately \$140,000 per year. That money now goes to CRMC. In addition, we pay CRMC 50% of the half-cent tax revenue after the debt service. So the first dollars, you will recall, of all the ½ cent tax goes to pay off the bond debt. Fifty percent of the remainder now goes to CRMC. But with the recent debt refinancing that you have approved, you are going to save approximately \$107,000 per year. So, currently CRMC gets in total about \$460,000 a year and \$140,000 from the trust, \$320,000 from the tax income. CRMC is willing to allow the County to retain the hospital trust income so long as the total payments stay at or above \$460,000. This is an item that I want to give credit to Clerk Thomas for, he has really been pushing for this because this provides, hopefully, a pot of money for the County to have available to it for capital projects, and I’ll talk about that in just a moment. But the Trust income would still be available to be used for short-falls if the tax income is below \$460,000. But if the tax income is at or above \$460,000, we now would get to keep all of the trust income in a way, that under the **current** lease arrangement, we are obligated to pay to CRMC. The benefits of this particular opportunity are there is no risk to the County, we’re not going to be any worse off than we are today, but we have the opportunity to actually save and retain that \$140,000 a year that is currently going to CRMC and the potential benefit is to have the trust income available for future capital needs of the hospital, because, remember, under the lease, while CRMC takes care of all the equipment, all the routine maintenance, all the routine expenses of the hospital, the County still cares for the structure and the major mechanical, electrical, HVAC system. But, we don’t have a rainy day fund or reserve to pay for those expenses when they eventually will arise. We know they will eventually. So, the lease amendment in sum provides an extension of the initial term and the opportunity to retain the trust income and this has been presented to the Board of GHI, it’s being recommended for approval to you by your staff, by the Board of GHI, CRMC has agreed

to it as well. I've given you a form of the lease amendment, the only reason it's not signed is we are still waiting for the final legal review from CRMC, but I have talked to their lawyer and I think that the document, if not approved exactly as it is in front of you, the changes will be extremely minor and not substantive. The document is a little more complicated because of the request of the Clerk's office; we have prorated the amounts for the balance of this fiscal year and then moved to the full savings for the next fiscal year. But, ah, that's been reviewed by the Clerk's office as well. To make a long story short, the math works. With that, I'll stop and ask if there are any questions."

**Chair Croley**

"Commissioners, do you have any questions? Yes, Commissioner Holt."

**Commissioner Holt**

"Yes, under the indigent care tax that CRMC receives, are they levying that for federal match money?"

**Mr. Glazer**

"At the moment they are, but unfortunately, the program is ending."

**Commissioner Holt**

"How much did they receive for last year?"

**Mr. Glazer**

"They would have received, I think the maximum we did was \$300,000, or was it \$400,000? (Looking at the Clerk) \$400,000 and I think last year they got about .70¢ extra on the dollar, if memory serves me correctly."

**Commissioner Holt**

"That was a dollar per dollar match?"

**Mr. Glazer**

"About .70¢ for every dollar we put in."

**Commissioner Holt**

"So, that money that we were giving under the indigent care tax, they were levying that money. That's money that if we gave to them now, we would miss the opportunity to levy that money for a federal match."

**Mr. Glazer**

"Unfortunately, they cancelled the program, so..."

**Commissioner Holt**

"I understand, but what I'm saying, that's money that we could have used before that we did not use."

**Mr. Glazer**

"We used as much as everyone was comfortable using, because, remember, you signed a contract and you didn't want to obligate the County..."

**Commissioner Holt**

"I remember the contract, but my point is, we missed opportunities there to levy. The other thing is, in the contract, if they don't have a program anymore, that's not a debatable item anyway. I just need to see some information from you saying that, from the feds, saying that they aren't doing that match anymore. That's all I need to know on that particular item."

**Mr. Glazer**

"That came in the form of correspondence from ACHA directed to the hospital. I can probably get a copy of it."

**Commissioner Holt**

"Yeah, just email a copy."

**Mr. Glazer**

"Just let me make a note on that."

**Commissioner Holt**

"Thank you, and that way we'll know because the reason I say about levying that money, Commissioners, if you have that opportunity, that indigent care tax, you can levy dollar per dollar normally, they say that at state level, in fact, you have a dollar, you send a dollar to the feds, they send back two. So what we approved the last time, the one reason I voted against it, was trying to get that dollar levy to come to the County and not to CRMC. So, if that program's going to be there, we can go after it. If it's not going to be there, it's not a debatable point for that match."

**Mr. Glazer**

"The money was never available to the County; it was only available to the hospitals."

**Commissioner Holt**

"Yeah, it's available to hospitals. I understand what you are saying, because Jackson Memorial in Miami got like 3 Million that they levied. I'm saying the process we didn't go through because we went ahead and approved it. So we were not aware how we could have used the money, if possible. The other thing is, for the two year period about \$275,000 was spent on non-collectable funds with EMS. On that of the two years, approximately \$235,000 for the two years was a part that we didn't collect. We can't collect that ambulance runs from this facility that we have, the emergency room to the hospital over in Tallahassee, Capital Regional. We are running at a deficit. The contract needs to address that deficit because if we're saying we're going to give up something, what happens with that deficit. We need to have a contract that represents the County as well as Capital Regional."

**Mr. Glazer**

"Commissioner, we brought that up with CRMC. They don't get paid for it either. That's a Medicare regulation and up to this point, they have been unwilling to modify that particular issue."

**Commissioner Holt**

"And they can, Commissioners, pay that back to the County, it can be paid back. Some other counties do that. That's not something that's necessarily off the table because we're not renegotiating another contract yet, because we still have the 2015. This is not something that has

to be voted on tonight. And I think that's something that we looked at also with any of our contracts before we voted not to go back and RFP some contracts out because it was not near the end of the time. This is not near the end of time with the contract with the hospital. So it's not something that we necessarily have to do tonight. We have the opportunity to look at these items."

**Mr. Glazer**

"Commissioner, I would point out that the opportunity to retain the trust income is tied to this same amendment and is retroactive to March 1<sup>st</sup> if it's passed this evening."

**Commissioner Holt**

"Right, it's retroactive to March 1<sup>st</sup> but we don't have to pass it tonight. If that's that caveat that they are offering us, to renew the contract. CRMC is not losing any money. They are not trying to renew a 5 year contract with us and they are losing money. That's what I'm saying. If you look at that in Section 4-5, Commissioners, for licensed beds, CRMC in the original contract, Arthur got an agreement that they would not open those 4 beds."

**Commissioner Hinson**

"What page is that on?"

**Commissioner Holt**

"I don't know, I just jotted down the section, 4-5. So those 4 beds were never opened and then in the next item, one of the other items coming up, you're saying go back and build-out \$179,000 for some office space when they did not open those 4 beds. Whether they had an agreement with ACHA or not, we were told that we were going to get beds. So that's a couple of things that I'm very interested about in getting this done. To me, this is definitely not a good contract. If the only objective is get money back for the trust, then it could be a good contract for the County, but there are other things in the contract that we need to look at. I can tell you several because I jotted down from each section what could be done. Commissioners, this is something I'm going to let someone else speak because there are some other items I'm looking at. Thank you."

**Commissioner Hinson**

"Do you care to explain 4-5?"

**Mr. Glazer**

"Yes, sir, from the very onset, the County, I'm sorry, CRMC made it clear that the 4 beds would not be opened. The reason that we had to put the 4 beds in is because in the event that the hospital is ever turned back over to us, we want to make sure that the County or whoever the subsequent operator is has the opportunity to open that. So, consequently, an arrangement and specific agreement was made with the Agency for HealthCare Administration to technically allow 4 beds to be on the license. However, the Agency also agreed that those beds would not have to be opened and CRMC made it extremely clear from day one that it was not their intention to open up the beds when the hospital opened. That has been a basic provision and I understand it's been controversial at times, but it was never anything that was hidden in any way."

**Commissioner Hinson**

"That was in writing?"

**Mr. Glazer**

"We negotiated extensively with ACHA on that point because it was critical in my mind that we protect the County that way because in the event that the arrangement doesn't work out and the County gets the hospital back, if we didn't have any beds on the license and it was only an emergency room, then we would have a very hard time opening beds later. By having even as few as one bed, technically on the license, we preserve that right."

**Commissioner Holt**

"And, may I Mr. Chair?"

**Chair Croley**

"Well, Commissioner Holt, hold on and let him finish."

**Commissioner Hinson**

"I'm finished."

**Commissioner Holt**

"I was just going to comment on that, that's all; I was going to comment on the beds, that's all."

**Chair Croley**

"He's answered the questions..."

**Commissioner Holt**

"Well, I have a comment on what he is saying. That doesn't make what he's saying correct. It just means he said it. What I'm saying is this, when CRMC came, we had Tallahassee Memorial, they agreed to 25 beds and that was voted out by this Board for 25 beds. CRMC came in after the place was renovated and they first said 'yeah, we can do beds', stood right there to that podium and said that. OK? It may have been negotiated later, but that's not what they told us at that time. So that's something that was done later on with ACHA, that's not something that was done when they came to us the first time."

**Commissioner Hinson**

"I had an opportunity to speak with you on Monday, right?"

**Mr. Glazer**

"Yes, sir, yesterday."

**Commissioner Hinson**

"What I gathered yesterday in the meeting, you said that TMH left the contract."

**Mr. Glazer**

"Correct, there was an RFP and they were successful, and then they withdrew."

**Commissioner Hinson**

"So they withdrew?"

**Mr. Glazer**

"Yes."

**Commissioner Hinson**

"So, it's not that the County Commission reneged on TMH?"

**Mr. Glazer**

"No, it was in the spring of 2009, they wrote a letter and said that they were no longer interested and withdrew. It was not anything the County did to my knowledge. It was TMH."

**Commissioner Holt**

"It was a lot that the County did."

**Chair Croley**

"Any other questions? OK, Mr. Glazer, in summary, with all due respect to everyone's opinions, we again can dwell on what's happened in the past and whether or not everything was done the way everybody thought they have been done at that time. That's all water under the bridge. We have a chance to extend this lease at the request of CRMC, which is a good thing for the citizens of the County to get the hospital continued in business and at the Clerk's recommendation, you are going to give back, their willing, CRMC, to release back the investment income from the Trust back for the County to have a sinking fund established so to speak, to maintain the capital structures there at the hospital facility and in turn, we're continuing to allow them to receive a portion of the ½ cent indigent health care tax, provided that the health care tax continues on at its present level. Is that..."

**Mr. Glazer**

"At a combined level of the Trust..."

**Chair Croley**

"And then we reduce the cost of over a Million dollars and saved all that money for the citizens of the County in terms of refinancing the debt. Correct?"

**Mr. Glazer**

"Yes, sir. That helped make this more feasible."

**Chair Croley**

"That is what you are asking for in this item currently."

**Mr. Glazer**

"Yes sir."

**Chair Croley**

"OK, now, Commissioners, the Chair will entertain a motion so we can move this item forward."

**Commissioner Taylor**

"I have a question, please, and I know you are trying to get to this point, but, Sir, (talking to Mr. Glazer) if you wouldn't mind, could you go back a couple of screens and I'll holler when I see the one...continue Sir, right there. Actually, Commissioner Croley touched on it just a moment and I'm just a little curious as to how this could happen. According to your numbers, the 50% ½ cent sales tax revenue after the debt service would net you \$320,000. You indicated in this contract that

somehow you are anticipating, and it might just be my confusion and I might have missed a statement or two trying to listen, but you indicated that the payment to you must not go below \$460,000.”

**Mr. Glazer**  
“To CRMC.”

**Commissioner Taylor**

“To CRMC, not to you, I’m sorry, you’re with the County. I apologize. That’s \$460,000 and I see how you got that originally, you had the \$140,000 from the income from the Trust plus the \$320,000 from the ½ cent sales tax after debt services. But now you are giving back the income from the trust and, but you are still asking for that total amount and so, I’m curious...”

**Mr. Glazer**

“I can help. The \$460,000 is the historical number. If you take the \$320,000, which it was historically, and the \$107,000, that takes you to \$427,000. The hope is, with the pick-up in the economy, the tax will generate a little bit more in the future and so by just generating that additional \$35,000 or so, it will get to the \$460,000 on its own without any of the trust income. If it doesn’t, we’d still have to fall back on the trust income but we’re protected because we never have to pay them a single penny more than what is in the trust. So, if the tax collections pick up a little bit along with the savings generated from the bond refinancing, the hope is that going forward, the revenue from the tax alone will be enough to make up that difference.”

**Commissioner Taylor**

“I hear what you are saying and...”

**Craig McMillan**

“Mike, I think, excuse me, I think you confuse numbers...”

**Chair Croley**

“Hold on, please state your name...”

**Craig McMillan**

“Craig McMillan, Chairman of the Gadsden Hospital, Inc. The \$460,000 is made up of the, what is currently, what happened this past year, they got \$320,000 from the sales tax, they got \$140,000 from the trust. What we’re saying, what they are saying is, that \$107,000 that you are now going to save on the sales tax because of the refinancing, you probably are not going to be able to get the whole \$140,000 from the trust unless something increases from sales tax increase or, you know, that’s what’s got to happen. But, there will be probably approximately \$107,000 that would be, if the numbers stayed the same that would go into a sinking fund to help take care of the hospital. The \$460,000 is made up of the \$320,000 and the \$140,000, which is historical; \$140,000 from the trust and \$320,000 from the sales tax.”

**Commissioner Taylor**

“That much I gathered at the onset, that’s how you got your \$460,000. It’s like, to me, if the glass is half empty or half full, you really aren’t going to benefit either way, because...”

**Clerk Thomas**



"I'm sorry; I think I can help to clarify, if you don't mind."

**Chair Croley**

"Mr. Clerk."

**Clerk Thomas**

"There's another way if you just look at it, real simple, you've got \$682,000 that you are going to budget for debt service from the ½ cent tax; then you are going to budget \$460,000 that is going to CRMC and based on, say, 1.4 Million collections that leaves approximately \$258,000. That's money that probably goes to the Health Department/Health Council under the current arrangement. So there is a simple way to do it. You budget your debt service, you budget what is due to CRMC, and then you have what is left."

**Mr. Glazer**

"That's a great way, a much better way of explaining it."

**Commissioner Taylor**

"Yeah, and it is, I mean I'm totally clear. Of course, I understood it, you know, how you were getting the dollars, I was just a little confused as to how, you know, it would benefit the County in that we are still paying out the \$460,000, which is what we are paying out now."

(Mr. Glazer started to speak.)

**Commissioner Taylor**

"Just a second. That's what is in the contract. That what, you're request is \$460,000. Now, you are telling me, I think what Craig just said a moment ago, it's really the \$320,000 plus the \$107,000, that's what it really is, but you are still asking for \$460,000 in the event it does not hit \$460,000, then the County has to pony up and we give you the difference, maybe \$38-43,000, but it is still \$460,000. So, I don't see where we really..."

Clerk Thomas and Craig McMillan started to speak.

**Commissioner Taylor**

"Just one second and then I'll finish my comment. We are able to save \$107,000 because of the initiative taken to refinance that debt service, so that is **supposed** to be a benefit to us. So how that became a part of your negotiation is beyond me. It shouldn't be..."

**Craig McMillan**

"It's a good question, but let me just say this. What you are, you have to look at the contract that is with CRMC. The contract with CRMC says they will get ½ of the proceeds of the sales tax after the debt service. So if the sales tax proceeds go way up, they are going to get a windfall, OK, and the fact that you just saved \$107,000 on financing, they actually would get \$53,500 that they would get because that's in the contract. Plus, they would get whatever is on the trust side. So, see, you are actually limiting them to what they are currently getting before that \$107,000 savings came. Am I right (looking at Clerk Thomas)? "

**Clerk Thomas**

"Not only are you saving \$107,000, you are saving \$140,000 with a potential for that to be more

with a better performance of the trust in the future. So you are actually saving more money, you are saving at least, all that this is doing is aligning money up for the way it was intended to be used. The money for the trust was originally intended to be held by the County to be used for the hospital. You are getting that lined back up the way it was supposed to be used; the money from the indigent tax is going to the hospital to defray the cost of providing indigent care by the hospital. So you are getting the money lined up and you are saving more money. You are saving at least \$140,000 with the potential to save more with the better performance of the trust. So, like I said before, you budget your debt service, you budget ½ cent tax of \$460,000 to CRMC and then you will have money left. Honestly, the loser here, there is a little bit of loss is the amount of money that you were giving to the health department/health council. That will be down a little bit, assuming you budget the \$460,000...”

**Commissioner Taylor**

“Unless the collections go up.”

**Clerk Thomas**

“Unless the collections go up, and over time they will.”

**Commissioner Taylor**

“I’m done.”

**Clerk Thomas**

“Do you see what I’m saying?”

**Commissioner Taylor**

“I do, I do, I, ah, ah, I understand exactly what you are saying and I guess I just was trying to figure out, well, let me just let someone else move on and maybe they can get some other kind of methodology going here. Thank you.”

**Mr. Glazer**

“Commissioner, we have spent months on this and it is not simple, I appreciate your questions.”

**Commissioner Taylor**

“It’s not. I was just trying to figure on this thing where we would actually benefit. But if the Clerk says he can see, and I can appreciate you wanting to align these things up so as to...you really shouldn’t have been getting money from the trust fund based on what the trust was designed for. But it was part of the contractual agreement, I guess to get you to the numbers you needed in order to come in and do this deal, so, now that that is coming back into the fold, now that it now goes back into the trust as far as the \$140,000, that’s what I’m talking about. So I am comfortable with that and I, let me just ask you this questions, just one question. How many years have you been collecting the 50%? The ½ cent sales tax?”

**Clerk Thomas**

“What, ’08-’09?”

**Commissioner Taylor**

“And you have gotten 1.4 each year?”

**Clerk Thomas**

“1.3-1.4 Million each year.”

**Commissioner Taylor**

“Thank you. That’s it.”

**Chair Croley**

“Commissioner Morgan, you had your hand up?”

**Commissioner Morgan**

“Thank you Mr. Chair. Mr. Glazer, good to see you. Thanks for putting this before us and also Mr. McMillan. I think what might possibly could simplify this discussion is if we kind of look at it at a higher level and if folks in the county will remember, we have had a very turbulent history when it comes to being able to provide a stable health care environment for our citizens and back in 2008, you know, we were tasked with coming up with a viable solution to be able to provide a working model and because of the fact we found a partner, a HCA partner in particular in CRMC, we were able to put this together under your guidance and of course the hospital board, who devoted many hours and years to this project. What this does, it provides some stability, as you mentioned earlier. This is a wonderful thing that CRMC has come to us, in my opinion, and say ‘hey, we want to extend this contract’. Let’s think about this for just a second. He could be standing in front of us tonight letting us know that they were about to pull out. What kind of a position would we be in as a poor, broke, rural county trying to provide health care, like many across the country? We are in a very, very good position in my opinion and this gives us the opportunity to build on what already has shown to be a success with the opportunity to grow on a solid foundation. At the time, I would move approval for this, Mr. Chair.”

**Chair Croley**

“Commissioners, Commissioner Holt, I’m going to hear from you, but, let’s try to wrap this up. I think we are pretty clear on, if you’ve got something new to add, let’s add it, but...”

**Commissioner Holt**

“Thank you, Mr. Chair. I’m going to add onto my comment and reiterate anything that I need to add on, reiterate on. The \$125,000/year that we are losing on the ambulance is a major loss. I’m going to reiterate that and I am not voting for this contract and I’m letting everyone know that, that you do not go into a contract losing, I appreciate what the Clerk said and I appreciate what Mr. Glazer said. If we don’t know what that tax is going to generate, it may generate quite a bit of money, that’s true. But that doesn’t mean you disregard everything else in the contract and since it’s not required or even necessary that we vote on it tonight, then that’s not something that we definitely need to do. How much are you saying it’s going to hurt the health council? How much is it going to hurt the health department and the health council and what do we need to cut there?”

**Clerk Thomas**

“Well, assuming you collect 1.4 Million, there should be about \$258,000 left. As the sales tax performance and economy improve, there’s more money left.”

**Commissioner Holt**

“Right, I’m saying if there is not that money that is there, then we have to supplement the \$460,000, right?”

**Clerk Thomas**

"What I'm suggesting to you is that you simply budget \$460,000 from the ½ cent tax."

**Commissioner Holt**

"That is if it produces..."

**Clerk Thomas**

"That's going to be there, it's never not...you're debt service is \$682,000, then you add your, the \$460,000 to that..."

**Commissioner Holt**

"That's \$1,142,000."

**Clerk Thomas**

"OK, then so, you're going..."

**Commissioner Holt**

"I understand what you are..., I'm saying what was it that we putting aside for the health department and the other group that we were providing those services? We didn't know how we could hurt or help those groups."

**Clerk Thomas**

"You are budgeting around \$260-280,000 a year for them."

**Commissioner Holt**

"OK, so that's coming out of the tax. So, if that's coming out of the tax, Commissioners, what I'm saying is what do you lose if you do it and (inaudible) then we need to look at that. But now, the main concern that I have, as I have said before, is going in there losing the \$125,000. That is something that we should not be losing. We should have those beds there and this license, this is the new part, Commissioners, should not be given to the hospital. I talked to 2 other counties again, they say the same thing 'y'all keep getting your license out there and that's how you lost it the first time'. Don't give your license to organizations. Commissioner Morgan, if they came before us and said we're closing today, we'd hire a director and move on, just like Jackson County and Hamilton and the rest of the counties. They move on by hiring a director and they go after the health care people that are already driving to Tallahassee. What can they be doing in the health care field? But, that's how you would handle it. We can go ahead and vote Commissioners. Thank you so much."

**Chair Croley**

"Thank you Commissioner Holt. Let's move the item and the Chair will entertain a motion."

**Commissioner Morgan**

"I move approval."

**Chair Croley**

"We have a motion for approval, is there a second? I'll second it."

**Commissioner Hinson**

"I have a question, no, go ahead, go ahead."

**Chair Croley**

"OK, we have a motion and a second on the floor. All in favor of moving forward with this item please signify by saying 'aye'."

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY CHAIR CROLEY, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THE ITEM. COMMISSIONER HOLT OPPOSED.**

**Commissioner Hinson**

"Chair, I want to make a motion."

**Chair Croley**

"You want to make another motion?"

**Commissioner Hinson**

"Yeah, I want to make another motion real quick."

**Chair Croley**

"OK, ah, on this item? Because this is the only agendaed item we can talk about right now."

**Commissioner Hinson**

"And that's the reason why I said before, I'm sorry, that's the reason I wanted (inaudible) before you went ahead and voted."

**Chair Croley**

"What is it you wanted, is it a point you wanted to make on it?"

**Commissioner Hinson**

"That's the reason I wanted to intervene but you continued to speak and carry out the motion."

**Chair Croley**

"I apologize, I didn't understand what you, you said move the motion, which I thought meant go ahead."

**Commissioner Hinson**

"I had a question."

**Chair Croley**

"OK, what is your question?"

**Commissioner Hinson**

"Well, the reason why I decided not now because I saw a few questions that we talked about. I walked in here today, I saw my questions today, I thought this was a great idea, a super idea. There are just a few questions that I had some concerns with. Because of some of the things you talked about and some of the things that happened. But I don't think there is anything wrong with the contract, one or two things, but I think that, ah, I need to have another conversation (looking

at Mr. Glazer).”

**Mr. Glazer**

“Anytime.”

**Chair Croley**

“With him?” (pointing at Mr. Glazer)

**Commissioner Hinson**

“Well, this, Mr. Chairman, actually you kind of hurt the motion, because it would have died but because you decided to move forward and that’s the reason why, that’s why I called a question. I said question, I said the wrong thing when I said question.”

**Chair Croley**

“Well, please ask him.”

**Commissioner Hinson**

“Well, I know, you already carried the motion, you carried it already, but, again, we already voted on it already. But the thing is if you bring it back; say within two weeks or a month or the next board meeting whatever, within that time, I’d like to talk to you, ah, about some things that were said that I had some concerns with. It was my motivation tonight was to move forward on this and I thought it was a great plan. But we’ve voted on it already, so...”

**Mr. Glazer**

“Commissioner, I’m at your disposal, I’m happy to meet with you anytime.”

**Chair Croley**

“Mr. Glazer, please make contact with Commissioner Hinson and go over his questions and if there is something we have missed, please come back and clarify...”

**Commissioner Hinson**

“And I apologize for the...”

**Chair Croley**

“And I apologize to you, Commissioner Hinson for misunderstanding what you were trying to say, and ah, anyway, but ah, OK, let us move to the next item.”

**9. Development of Physician Office Space in the Hospital**

This item seeks Board approval of a non-binding Letter of Intent to develop physician office space in Capital Regional Medical Center-Gadsden Memorial Campus and the project creates greater potential for increasing the availability of physician services in Gadsden County.

Mr. Presnell introduced the above item and said this was another item that would be handled by Mr. Glazer.

Mr. Glazer stated this was to move forward with additional steps to bring more health care to Gadsden County. He stated they were looking for a non-binding Letter of Intent. He said they were looking at potentially developing 1200 square feet within the building that is currently shelled into office space. He added CRMC would bring primary care and specialist physicians to

Gadsden County on a time-share basis. He explained that the total capital costs would be \$170,000 and showed the Commissioners sample drawings of the new space. He added that the Letter of Intent (LOI) had some key elements:

- The County would pay the construction costs of approximately \$155,000. He further explained the current lease would allow CRMC to come to the County and ask them to pay that amount and give the County 30 days to agree or not agree to do it, but added that was not how they wished to do it. He added they could do it themselves, but could ask the County to reimburse them when the lease ended.
- CRMC would pay the furniture and equipment costs of approximately \$25,000.

He added that under the current agreement CRMC paid \$1.00 per year rent but under the new agreement, they would pay \$1,000 per month. He explained that CRMC would be under some State and Federal regulations to charge the doctors rent and this would be their incentive to charge the physicians the rent. He also explained that the physicians would be required to accept Medicaid patients and the LOI was contingent on the County obtaining the funding for the project.

He asked the Commissioners to recall when they originally did the hospital, they borrowed \$10 Million for the construction but they had to draw from the principal of the trust to be able to get the original equipment and got court approval to get \$4 Million but they only spent \$3.3 Million. He suggested they go back to Court to seek approval to use the remaining \$685,000 for this and other related hospital projects. He added it was recommended by staff and GHI to approve the LOI and authorize the administrator and legal counsel to seek court approval for use of trust funds. He also added the LOI was very clear that if court approval was not granted, the LOI would become null and void.

Commissioner Morgan stated he was all for the expansion to have specialists come here.

Chair Croley said for the record, he asked Craig McMillan to come forward and give his blessing on this matter.

Mr. McMillan stated he has been a great defender of the trust and the corpus of the trust and stated this was the best position they could be in and they were in favor of it.

Commissioner Morgan asked if this could be accomplished by using the \$170,000 without having to go to court and why not do that instead of using any of the trust.

Clerk Thomas stated, like Mr. McMillan, he was a defender of the trust, however, they weren't looking at just one project and they could be looking at a lot of money.

Commissioner Morgan said he understood Clerk Thomas' line of thought, but he thought using the fund balance was smarter than going into the principal of the trust and added he thought they had been very smart in the way they had originally handled the matter.

Chair Croley stated he had listened to the hospital board, he has supported them in the past and they have done what needed to be done to bring medical care to the citizens of the County. He added that he hadn't heard them state that they wished to spend \$680,000, the amount he heard was \$170,000.

Commissioner Holt stated if the County agreed to the \$170,000 and there was a seven year lease, they would need to pay \$2,023.81 per month in order to get the \$170,000 return. She added if patients were transferred from this facility to Tallahassee CRMC, under Medicaid they would not receive their money. She suggested if they were going to lease the hospital, to lease at an amount that at the end of the contract they would recoup the \$170,000.

Commissioner Hinson stated he had the opportunity to speak with the President, Brian Cook, at lunch and stated he had the same concerns as Commissioner Holt.

Commissioner Morgan spoke and asked Mr. Glazer to expound on what they were allowed to spend the money on when it was originally withdrawn from the Trust beyond equipment and furnishings and if remodeling was included and Mr. Glazer said it was not and the reason being to protect the integrity of the trust. He added it was important to remember in this County, that the County would not make money or break even, that they would lose money. He said that smart decisions had been made and he would not often say 'spend the money' but this was the time to spend the money.

Commissioner Hinson stated he wished the money could be spent on economics or transportation and he would like to make a motion and asked if Commissioner Taylor had anything to say.

Commissioner Taylor spoke and agreed with Commissioner Morgan and Commissioner Holt and said if they approved the money to come out of the reserves, it would save the lawyer fees and the County having to go to Court. She said it was also her opinion that it did not make sense to approve the deal if the County would not be able to recoup the costs. She added she was of the mindset to take money out of reserve, identify the funding source and move forward.

Mr. Glazer asked to be able to clarify one point and wanted to make sure everyone understood the \$170,000 included the equipment and was an estimate and the actual construction estimate was only \$155,000. He also wanted to make clear that this item would have to come back, that this was a non-binding letter right now. He also encouraged the Board if there was another way to do this, to please do so.

Commissioner Holt stated in looking at the funds the Board had available, they needed to look at what was there and what would need to be done so when the budget came up, they would know what they would need to have. She suggested they bring a letter to the next meeting with the correct numbers.

Mr. McMillan pointed out the construction would be County construction and the County would need to be the one to come up with the numbers.

Commissioner Hinson stated he had an opportunity to walk through the building and a lot of work needed to be done.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY CHAIR CROLEY TO APPROVE THE LETTER OF INTENT AS ORIGINALLY RECOMMENDED, THERE WAS DISCUSSION BEFORE THE VOTE WAS TAKEN.**



Commissioner Morgan stated they would not need a letter of intent if they Board was not going into the principles of the trust and thought they were getting ‘the cart before the horse’.

**THE BOARD VOTED 3-2 BY VOICE VOTE. COMMISSIONERS MORGAN, TAYLOR AND HOLT OPPOSED. MOTION FAILED.**

Commissioner Taylor asked to try to move this forward.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON TO APPROVE THE ITEM AND LOOK FOR FUNDING SOURCE FROM GENERAL REVENUE, PARTICIPATION FROM CRMC TO RECOUP THE COSTS UP TO \$170,000 AND NOT INCLUDE FURNITURE, THERE WAS DISCUSSION BEFORE THE VOTE WAS TAKEN.**

Clerk Thomas stated they were hoping this was to be a beginning process for other expansion projects and explained that under the contract the hospital could do the build-out but when they left, the County would have to reimburse them for the build-out that they did.

Commissioner Taylor said the county was meeting what the hospital was asking for, just using a different funding source.

Commissioner Hinson asked Clerk Thomas if they approved this item tonight, would the hospital still have to come back before the Board for approval and Clerk Thomas said yes.

Clerk Thomas said trying to recoup all the money would go against what the Board was trying to accomplish, that this was space already leased for \$1.00 dollar a year and now the Board wanted to recoup all their money back.

Commissioner Taylor said they were making the initial offer and she did not want this to be a deal-breaker and she wanted to move forward because specialists were needed in the hospital.

Commissioner Morgan said it was critically important to provide the best possible services to the citizens and added that \$175,000 was drop in the bucket if it would provide services for the citizens. He said for them to take the next step and see if worked and that it was his opinion this was a working partnership.

**Brian Cook, CEO, CRMC,** appeared before the board to address questions the Board had.

Commissioner Taylor withdrew her motion and Commissioner Hinson withdrew his second.

Commissioner Morgan asked that the item be brought back under general business with different options and there was no need to vote on anything tonight.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON TO BRING THIS ITEM BACK WITH DIFFERENT OPTIONS, THE BOARD VOTED 5-0 BY VOICE VOTE TO TABLE THIS ITEM.**

*Commissioners Morgan and Holt stepped out at this juncture of the meeting.*

**10. Roadway Assessment Program – Quail Roost Road and Ames Barineau Road**

**Sandi Melgarejo, Government Services Group, Inc.** appeared before the Board and stated in December the Board hired GSC to investigate recovering costs with regard to Special Assessments for the paving of the roads. She added they had developed a methodology to apportion the roadway improvement costs to the benefitted property owners that could be collected.

*Commissioners Morgan and Holt returned at this juncture of the meeting.*

**Quail Roost Road**

Ms. Melgarejo first addressed Quail Roost and said the County only paved the first portion of the road and the developer or property owners paid for the paving of the back of the road because of zoning changes. She explained when they originally started looking at this, the costs were \$57,342 and the County agreed to pay 1/3 of the amount. After the construction was completed, the costs became more than what was anticipated, but the County agreed to only recover the original \$38,228. She explained different options that could be offered to the property owners.

Commissioner Morgan asked of the 13 parcels identified, how many parcels had a change in ownership since the onset of this matter. He expressed his opinion to let this matter go and said legal fees could cost more than what could potentially be collected.

Chair Croley asked what would happen in the future if they decided to waive the fees.

Mr. Presnell explained that in the future, if money was budgeted, they were petitioned and they retained the services of GSG, it would be done properly.

Clerk Thomas explained this was carried as a liability on the books.

**Ames-Barineau Road**

She explained Ames-Barineau was figured differently because there were different levels of service and she explained the break-down of the costs for this road and the different options.

Chair Croley stated he thought they were all clear on the issues and opened it up for discussion.

Commissioner Hinson asked questions.

Commissioner Holt stated the citizens agreed to pay their portion and the county paved the roads on a good-faith effort and this was taxpayers' money that was used and she said it was "caveat emptor" or "buyer beware". She went on to say it would be hard to tell others in the future who lived on unpaved roads that they had to pay when these property owners were not made to pay.

Commissioner Hinson said Commissioner Holt was 100% right and he was undecided on this issue.

Commissioner Holt said no deeds were recorded but this was signed off on in good faith.

Commissioner Morgan's opinion was not to proceed.

Commissioner Taylor said it was difficult to collect from the new owners that had no idea this money was owed. She said she was willing to go after the ones that agreed to pay at the time of

the paving.

Mrs. Minnis reiterated what Ms. Melgarejo had previously stated that every property owner who would benefit from the paved road would have to be assessed in an equitable way.

Chair Croley stated trying to go forward under these circumstances would cause a quagmire.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN TO APPROVE OPTION TWO AND WRITE THE AMOUNT OWED OFF THE BOOKS, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE. COMMISSIONER HOLT OPPOSED.**

**11. Approval of Capital Region Transportation Planning Agency (CRTPA) Interlocal Agreement**

Mr. Presnell introduced the above item.

**Harry Reed, III, Executive Director, CRTPA, 408 North Adams Street, Tallahassee, FL** appeared before the Board and stated he had a commitment from CRTPA board to not let the by-pass die.

Chair Croley asked him to give Commissioner Taylor and Commissioner Hinson updates on Highbridge Road.

Commissioner Taylor stated Highbridge was more known for fatalities because of being extremely narrow with a lot of bends and curves among other issues with the road.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN TO APPROVE THE INTER-LOCAL AGREEMENT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

*Commissioner Morgan stepped out at this juncture of the meeting.*

**12. Transportation Agreement between the Gadsden County Board of County Commissioners, City of Quincy and Big Bend Transit, Inc. to Provide the Quincy Shuttle Bus Service**

Mr. Presnell introduced the next item and said this was a transportation agreement between the County, the City and Big Bend Transit to provide services for the Quincy Shuttle.

*Commissioner Morgan returned at this juncture.*

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT TO APPROVE THE AGREEMENT, THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE. CHAIR CROLEY AND COMMISSIONER MORGAN OPPOSED.**

**13. Request Approval to Resurface the Gadsden County Tax Collector/Property Appraiser Parking Lot**

Mr. Presnell introduced the above item and stated there was \$12,000 remaining from the loan used to renovate the building and he had identified another \$4,000 to add to that to use to repave the parking lot.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN TO APPROVE THE REQUEST, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

**14. Request Approval to Fund a 2013 Summer Youth Employment Program**

Mr. Presnell introduced the above item and stated it was to request approval to fund the 2013 Summer Youth Employment Program.

Commissioner Taylor said this was an opportunity to put 50 kids to work, learn a trade and get them off the street and she asked that this be increased to 100 kids.

Chair Croley asked if the amount of the children doubled, where the money would come from.

Mr. Presnell explained the money would come from contingency and Medicaid fund.

Commissioner Taylor asked the age group and was told between the ages of 14-18.

Commissioner Holt stated her concern was the selection of the children but that she had no problem with the number of kids.

Mr. Presnell stated he was comfortable with 50 kids.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON TO APPROVE THE FUNDING OF THE SUMMER PROGRAM FOR 50 CHILDREN, BEFORE THE VOTE WAS TAKED COMMISSIONER MORGAN HAD A QUESTION.**

Commissioner Morgan asked how many employees could be provided with a 3% raise with \$57,000 and Mr. Presnell answered approximately 50.

**THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE. COMMISSIONER MORGAN OPPOSED.**

Mr. Presnell asked if it was Board direction was for him to administer the program and the Chair responded yes.

**15. Redistricting Discussion**

Mr. Presnell introduced the above item and stated they were running out of time if there were to be changes made.

Mrs. Minnis explained it was the recommendation to approve option 1 to have an expert, Mr. Spitzer, “crunch the numbers”.

Commissioner Holt stated they were closer than they have been and didn’t see the need for re-districting.

Commissioner Hinson asked who Mr. Spitzer was and Mrs. Minnis explained he was an individual that was found through recommendations of the Florida Association Counties.

Commissioner Morgan said it was important to remember that the right thing to do was to make sure the citizens were fairly represented.

Commissioner Hinson stated he did not want to be in a rush to make decisions of this magnitude.

Commissioner Morgan stated it was time to do it, nothing would be accomplished by waiting.

Commissioner Taylor stated the laws clearly state this needed to be entertained. She asked to enter into the record a Population of Gadsden County, Florida census report that she provided. She asked that Mrs. Knight's appearance and discussion from some months ago be also made a part of the record.

Mrs. Minnis said that the total overall for the entire county might be 2% but when the Court looked as redistricting, they looked at the number of districts and the population in the districts and further explained there was a statutory provision that specifically did apply to counties and required them to redistrict every so often. She put on for the record again that this was the Board's vote.

Commissioner Morgan stated it was his opinion that the Board had clear direction from their attorney on how to proceed and it was a disservice to the County not to gather the proper information and make a decision.

Commissioner Holt said she had not seen data to support the redistricting.

Commissioner Croley stated it wasn't what the Florida Statutes said, but was what the Florida Constitution said and it stated that "You will redistrict after that census and they will be equal and as near as practical in population in each of these County Commission districts" and added that hiring an outside expert to run the maps to comply with the figures as recommended by the County Attorney was the right thing to do.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT TO APPROVE OPTION TWO TO REJECT REDISTRICTING, THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE OPTION 2. CHAIR CROLEY AND COMMISSIONER MORGAN OPPOSED.**

**16. Approval and Selection of 2013 Transportation Grants Projects**

Mr. Presnell introduced the above item and stated this was to pick some grant projects.

**Justin Ford, Preble-Rish, Inc.** appeared before the Board and stated they had opportunities in front of them and asked the Board for direction as to what projects to pursue applications for.

*Commissioner Morgan stepped out at this juncture.*

He asked the Board to select the four roads to submit.

Commissioner Taylor stated that something desperately needed to be done with Highbridge Road.

*Commissioner Morgan returned at this juncture of the meeting.*

Mr. Presnell stated he would rather go for roads that the grant was obtainable for.

Chair Croley asked Mr. Ford to list the four roads he thought the grants would be obtainable for.

Mr. Ford responded Sadberry Road, The Florida Line/ Jep Martin Road project and Juniper Creek

were easy sales but the 4<sup>th</sup> road was up in the air.

Chair Croley asked about Bettstown Road and said in looking at the paving condition only, that road was the worst on the list and Mr. Ford agreed.

Chair Croley asked Mr. Ford if he would entertain the 5 roads listed above and see how they scored out and then for the Administrator to see which 4 roads funding could be obtained for.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT TO ALLOW THE ADMINISTRATOR TO FIND THE BEST 4 ROADS AND GIVE THE CHAIR AUTHORITY TO EXECUTE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

#### **COUNTY ADMINISTRATOR**

##### **17. Updates on Board Requests**

Mr. Presnell informed the board the debit/credit card machine had been installed and was up and running and the usage was approximately 25%.

Budget workshop date has been scheduled for May 23<sup>rd</sup> and he stated he was looking at May 18<sup>th</sup> and May 21<sup>st</sup> for workshop and retreat dates.

#### **COUNTY ATTORNEY**

##### **18. Update on Various Legal Issues**

The County Attorney had nothing to report.

#### **DISCUSSION ITEMS BY COMMISSIONERS**

##### **19.**

###### **Commissioner Taylor, District 5**

Commissioner Taylor had nothing to report.

###### **Commissioner Holt, District 4**

###### **CRMC**

Commissioner Holt stated that concerning CRMC, they should have met and had a workshop because others knew about the issues concerning the hospital but the Board did not know ahead of time and it did not look good for the public.

###### **Summer Employment Program**

She added that she would like to make sure that the Administrator would try to obtain more funding to be able to employ 75 kids.

###### **Commissioner Morgan, District 3**

Commissioner Morgan had nothing to report.

###### **Commissioner Hinson, Vice Chairman, District 1**

Commissioner Hinson wanted to thank everyone and stated he thought they were moving in the right direction.

**Commissioner Croley, Chairman, District 2**

Chair Croley had nothing to report.

**RECEIPT AND FILE**

**20.**

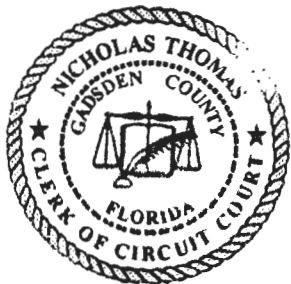
- a. For the Record: FY 2012-2013 Contract between the Gadsden County Board of County Commissioners and the Department of Health for Operation of the Gadsden County Health Department
- b. For the Record: Letter from East Gadsden High School Regarding Appreciation for the Donation of Hospital Equipment

**May Meeting(s)**

- May 7, Regular Meeting, 6:00 p.m.
- May 21, 2013, Regular Meeting, 6:00 p.m.

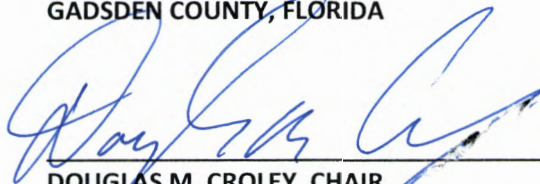
**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 9:20 P.M.



ATTEST:

GADSDEN COUNTY, FLORIDA

  
\_\_\_\_\_  
DOUGLAS M. CROLEY, CHAIR  
BOARD OF COUNTY COMMISSIONERS

  
\_\_\_\_\_  
MARCELLA BLOCKER, Deputy Clerk for  
NICHOLAS THOMAS, CLERK OF COURT  
GADSDEN COUNTY, FLORIDA

MARCELLA BLOCKER, Deputy Clerk for  
NICHOLAS THOMAS, CLERK OF COURT  
GADSDEN COUNTY, FLORIDA

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON MAY 7, 2013, AT 6:00 P.M., THE  
FOLLOWING PROCEEDINGS WAS HAD, VIZ:**

Present: Doug Croley, District 2, Chairman  
Eric Hinson, District 1, Vice Chairman  
Gene Morgan, District 3  
Brenda Holt, District 4 (arrived late)  
Sherrie Taylor, District 5  
Nicholas Thomas, Clerk  
Deborah Minnis, County Attorney  
Robert Presnell, County Administrator  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to order at 6:00 p.m. and asked everyone to stand for the prayer and the pledge of allegiance to the U.S. Flag.

**AMENDMENTS AND APPROVAL OF AGENDA**

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

*Commissioner Holt appeared at this juncture of the meeting.*

**1. Presentation of Resolution Honoring Ms. Joe Eva Dixie**

Mr. Presnell stated the first item was a presentation of a Proclamation to Ms. Joe Eva Dixie honoring her 100<sup>th</sup> birthday. Chair Croley read the Proclamation aloud and then presented it to Ms. Dixie.

**2. PRESENTATION OF FISCAL YEAR 2012 AUDIT REPORT**

Mr. Presnell stated the next item was a presentation of the County Audit for the fiscal year 2012.

**Mr. Ron Whitesides, Purvis, Gray and Company**, appeared before the Board and presented the audit to the Board.

Commissioner Hinson asked if this item could be tabled until a later time so this could be further discussed.

Chair Croley commented that they needed to allow Mr. Whitesides to make his presentation, introduce the audit formally and then the Board could consider what to do after that and asked Mr. Whitesides to proceed with the presentation.

Mr. Whitesides presented the audit and stated there were three internal control



recommendations and summarized that financially, it was a positive year and with only three internal control recommendations for improvements, staff had done a good job of being “good stewards of public funds”.

Chair Croley called for any questions and there was none and asked to let the record show that based upon the recent audit, the County’s financial situation had greatly improved and thanked everyone for their assistance and cooperation.

Commissioner Hinson stated they needed to address the concerns that had been mentioned and they needed to move swiftly on them to avoid financial trouble in case someone made a wrong decision.

Clerk Thomas asked that the Board accept the audit and explained that the grants had deadlines and it needed to be accepted before being forwarded on to the appropriate parties.

Commissioner Hinson asked for rebuttal before they accepted the audit.

Chair Croley explained the auditor would give his recommendations and then the respective departments would respond back.

Mr. Presnell explained of the three items mentioned, one pertained to the Finance Office of the Clerk and had been corrected already, the second issue dealt with IT and was to have a complete inventory and back-up plan in case of a total disaster and it was 99% complete at this time and the third issue was segregation of duties with EMS and they would try involving the director because of being a small staff they had only two people in the office.

Chair Croley asked that the Board formally accept the audit.

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO ACCEPT THE AUDIT.**

#### **CLERK OF COURTS**

##### **3. County Finance and County Clerk Issues**

Clerk Thomas stated there was nothing to report.

Commissioner Hinson stated there was never a report from the Clerk but there were issues that needed to be addressed.

Chair Croley explained that customarily the Clerk would bring any issues before the Board that affected his office out of the ordinary.

Commissioner Hinson stated he did not want to wait until next year and there was potential for a “catastrophic situation” with the Clerk’s office with one person handling all the financial duties of writing checks and reviewing the entries.

Clerk Thomas responded to Commissioners Hinson’s comments and concerns.

Chair Croley asked Mr. Whitesides to also address Commissioner Hinson's concerns and to further explain the audit process.

Mr. Whitesides re-appeared and explained their process in reviewing financial matters and explained they had found no problem with how things had been done, but it was just a good process to have two people handle the job to ensure checks and balances. He went on to explain the finding concerning the Clerk's office was 'journal entry secondary approval' and explained when someone made journal entries to the accounting record, it was good practice for a second person to review it to safeguard the accuracy. He stated it was his understanding that during the year, a long-time employee had left and during her absence the finance director, the most knowledgeable accountant in the office, made entries without a secondary review of another person.

Chair Croley asked Mr. Whitesides if he was satisfied as the County's auditor with the responses he had been given to date concerning the issues.

Mr. Whitesides clarified that they found no problems, errors or any inappropriate activity but this was just a basic, tentative sound system of controls and the plan to fix it by having another employee review the adjustments was acceptable.

Mr. Thomas responded, "I'm just amazed. The County gets one of the best audits it's ever got and instead of rejoicing in it, we get this kind of response from a Commissioner and it is disappointing. We've gotten an outstanding audit, it speaks for itself and I'm not going to say any more about that. We did, we promoted someone else to Assistant Finance Director. That one issue in terms of reviews is totally fixed and you should be rejoicing at the good audit report that you received compared to a lot of other entities around the area who struggled and for over 24 years now, this Board has gotten a good audit report. We have NEVER gotten a bad audit report as long as I have been Clerk and I will see to it that you never do as long as I am Clerk."

#### **CONSENT**

Chair Croley asked for a motion to approve the Consent agenda.

Commissioner Taylor asked to pull Item 6 for discussion.

Commissioner Holt asked to pull Item 10 for discussion.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO ACCEPT THE AGENDA. ITEMS 6 AND 10 WERE PULLED FOR DISCUSSION.**

#### **4. Approval of Minutes**

-April 2, 2013 Meeting

#### **5. Ratification of Approval to Pay County Bills**

#### **6. ~~Request Approval of Contract to Resurface the Gadsden County Tax Collector/Property Appraiser Parking Lot~~**

Pulled for discussion.

#### **7. Approval of New Road Name**

The requested new road name is Opportunity Lane.

8. **Approval of Commissioner Eric Hinson's Travel to the Emergency Management Workshop**  
Commissioner Hinson requested approval of expenses for travel to Seminole County, FL for an Emergency Management workshop for approximately \$500.00.
9. **Approval to Accept the FY 2013 2<sup>nd</sup> Quarter Report**
10. **Approval to Sell Surplus Equipment at Auction**  
~~BOCC A670 John Deere 401-B Industrial Tractor sale of equipment should bring approximately \$250.00.~~  
Pulled for discussion
11. **Approval of Local Agency Program (LAP) Agreements for the City of Chattahoochee-Caro Street and McDonald Avenue**  
Grant funding is for designing sidewalks on the two streets.

#### **ITEMS PULLED FOR DISCUSSION**

6. **Request Approval of Contract to Resurface the Gadsden County Tax Collector/Property Appraiser Parking Lot**  
Commissioner Taylor had questions regarding the bid process of this item and asked if local bids had been received.

Mr. Presnell explained the bid process and stated the Board had previously approved this item, three bids had been received and this was to authorize the Chair to execute the contract with Dixie Paving and Grading, a company based in Midway.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONTRACT.**

10. **Approval to Sell Surplus Equipment at Auction**  
Commissioner Holt asked that in the future when there were items or equipment to take to auction that the citizens be allowed to have first chance to bid on the items or equipment.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

#### **CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

**John Due, 1381 Timmons Road, Quincy, FL** appeared before the board and thanked everyone for the courtesy extended to him and his Wife, who recently passed away. He stated that he was very excited about Sheriff Young's program, Faith Behind Bars Re-entry program and it was an excellent program. He applauded the Sheriff and the Superintendent for educating the children and trying to break the "schoolhouse to jailhouse" cycle with the young people.

#### **PUBLIC HEARINGS**

12. **Public Hearing-Country Boys Oyster Bar & Pub (SE-2013-01, SP-2013-02), Tax Parcel ID#6-03-1S-**

**4W-0000-00111-07000**

Mr. Presnell introduced the above item and stated Mr. Danny Collins was the property owner and was requesting a Special Exception Use with Site Plan Review to allow the sale of alcoholic beverages and an 864± covered deck expansion to the existing 2,419± square foot restaurant to be known as “Country Boys Oyster Bar & Pub. The restaurant had previously been opened as “Country Boys” or “Goobers”, was located at 38 Alma Yates Street and had been closed for less than two years.

Chair Croley asked for any public comments.

**Danny Collins, 15724 NW State Road 20, Bristol, FL**, appeared before the board and stated some of the concerns addressed at the public citizens meeting that had been held were noise, traffic flow and the restaurant being turned into a “honky-tonk” and those issues had been addressed.

**Jan Godwin, 1010 Talquin Avenue, Quincy, FL** appeared before the Board and stated the restaurant was fine but she was not in favor of the bar because it would lower her property value and she was not in favor of alcohol sales.

**Ed Allen, 267 Chinquapin Way, Quincy, FL**, appeared before the Board and stated that he also sat on the Planning and Zoning Board and he had attended the public citizens meeting that Mr. Collins had and there were approximately 75 people at the meeting and most were in favor of the opening of this restaurant. Mr. Allen expressed the need for another restaurant in the area and added that in the past, people would bring liquor in their cups and this way the County would be able to collect taxes on the alcohol sales.

Commissioner Taylor asked Mr. Collins how many people he planned to employ at the business.

**Julia Wilhoit, 985 Talquin Avenue, Quincy, FL**, appeared before the Board and stated she was the general manager and the plans were to employ between 20-25 local people.

Commissioner Taylor stated she attended the meeting Mr. Collins held and believed he had taken precautions to make sure there was no infringement of privacy or rights of the neighbors.

**Anthony Matheny, Planning Director**, appeared before the Board and stated Mr. Collins had addressed all issues and concerns that the neighbors had with the noise and alcohol.

Chair Croley asked Mr. Collins what he anticipated the food/alcohol ratio to be.

Mr. Collins predicted his sales to be 80% food and 20% alcohol.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE OF THE ITEM.**

**GENERAL BUSINESS**

**13. Conceptual/Non-Binding Site Plan and Re-Use Approval of New Industrial Business Located on the Former Printing House Site**

Mr. Presnell stated this item was an economic development opportunity for the County and was a

conceptual/non-binding plan and stated if this moved forward, it would need to come back before the Board for a formal vote. Mr. Presnell informed the Board this would be a relocation of an existing business that was currently based in Miami and Venezuela.

**David Gardner, Executive Director of Gadsden County Chamber of Commerce** appeared before the Board and stated this was Spray Quimica C.A., a family owned corporation and a 43 year old aerosol filler business that wanted to be a part of this community, was very committed to local hiring and giving back to the community. They wanted to make sure this community wanted them here and was only seeking input and comment from the Board regarding the viability of their proposed project.

Commissioner Taylor stated this was difficult for her because of the need for employment here, but the placement of the business caused her concern because of the aerosol spray and this could be a potential hazard to the area. She stated she could not support this only because of their location.

Commissioner Morgan stated he had discussed this with Mr. Gardner previously when he had been on the Chamber Board and said he also had concerns but that the concerns had been touched on and asked Mr. Gardner to better explain.

Mr. Gardner stated this was a highly regulated industry, both on federal and state levels and that he could get a company representative to respond and answer any concerns that the Board might have.

Commissioner Holt stated since this was a non-binding plan she had no problem in voting on it tonight.

Mr. Presnell stated some of the concerns had been asked of and addressed by the business owners.

Chair Croley commented with the surrounding nursing home, hospital and health care facilities, the public would probably like some assurance of the safety of the business.

Commissioner Morgan stated there was a pretty significant buffer already in place around the site from when The Printing House occupied the building.

Mr. Gardner asked pending the safety issues, if this was a business that the County would want located here.

Commissioner Taylor stated with the separate building and soft roof, if there were an explosion, the propellant would go into the environment. She stated she liked the business, but not in that location and made a motion to deny.

**COMMISSIONER TAYLOR MADE A MOTION TO DENY-MOTION DIED FOR LACK OF SUPPORT.**

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4-1 TO APPROVE THE CONCEPTUAL, NON-BINDING SITE PLAN. COMMISSIONER TAYLOR OPPOSED.**

**14. Approval and Appointment of a Multi-District Event Planning Committee for the Celebration of the Courthouse 100<sup>th</sup> Anniversary and Viva Florida 500<sup>th</sup> Anniversary**

Mr. Presnell introduced the above item and stated this item was seeking the Board approval of a multi-district event planning committee for the celebration of the 100<sup>th</sup> anniversary of the Courthouse and the 500<sup>th</sup> anniversary of Florida.

Commissioner Holt asked that NAACP be added to this list.

Commissioner Hinson asked that all the cities and municipalities be invited to participate.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM WITH THIS BEING EXTENDED TO ALL MUNICIPALITIES.**

**15. Discussion and Direction Regarding an Interlocal Agreement with the Gadsden Soil and Water Conservation District (GSWCD)**

Mr. Presnell stated this item was seeking approval of an interlocal agreement with Gadsden Soil and Water Conservation District and stated that they had a couple of pieces of equipment, grain drills specifically, that is rented to local landowners in implementing conservation practices, and they were asking for an interlocal agreement for the Public Works Department to assume maintenance of the equipment.

**Mr. Harvey Sweeney, Chairman, Gadsden Soil and Water Conservation District, 4374 Hardaway Highway, Chattahoochee, FL,** appeared before the Board and stated they had been concerned about the equipment for a number of months and this came to a head when people began renting the equipment and found that it was not properly maintained and caused down time to who would rent it. He added that this was expensive equipment, but they had found they could buy the equipment and then lease it out to the public for a very small fee.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER TAYLOR FOR APPROVAL OF OPTION ONE, BEFORE THE VOTE WAS TAKEN THERE WAS DISCUSSION.**

Commissioner Holt asked what the equipment was used for.

Mr. Presnell explained it was no-till grain drills that people would use, for instance, to plant food plots for deer and plant rye grass and was a piece of equipment that might only be used once a year.

**THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM AND ENTER INTO THE INTERLOCAL AGREEMENT.**

*Commissioner Morgan stepped out at this juncture of the meeting.*

**16. Development of Physician Office Space in the Hospital**

Mr. Presnell introduced the above item and stated this had previously been before the Board on April 16<sup>th</sup> and the Board had asked that this matter be brought back with figures for the cost of building out approximately 1200 square feet of the existing hospital for the construction of

physician office spaces and added that the building plans would require ACHA review.

*Commissioner Morgan returned at this juncture of the meeting.*

Mr. Lawson appeared before the board and explained that previously the request had been for \$170,000 and after reviewing everything, the request was now for approximately \$155,000 for the build-out and that amount was the most the County would be responsible for.

Chair Croley asked if the option would need to be amended to include approval of CRMC as the construction manager.

Commissioner Morgan asked if general fund and reserve was the same and asked if they acted on this matter this evening, could they proceed immediately.

Commissioner Holt asked if the agenda was being amended, would this item need to be brought back before the board.

Chair Croley stated this would need to come back before the Board.

Commissioner Holt added if the Board approved this item; it would need to be amended to show the amount would be lowered to \$155,000 and CRMC would be the construction manager.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN TO APPROVE THE ITEM WITH THE AMENDMENT TO ADJUST THE AMOUNT FROM \$179,000 TO \$155,000 TO COME FROM THE RESERVE FUND, FOR CRMC TO BE THE CONSTRUCTION MANAGER AND TO BE BROUGHT BACK BEFORE THE BOARD IN A PUBLIC HEARING, THERE WAS DISCUSSION BEFORE THE BOARD VOTED.**

Commissioner Hinson asked if this could be tabled and brought back all at one time.

Chair Croley explained it had previously been tabled and brought back and the Board needed to move forward with the item.

Commissioner Taylor stated all of it would be brought back for final approval by the Board.

**THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THE ITEM. COMMISSIONER HOLT OPPOSED.**

#### **COUNTY ADMINISTRATOR**

##### **17. Update on Board Requests**

Mr. Presnell stated with the HEAVY mosquito season, there were only 25 outstanding work orders and added he thought this was superb for this time of year.

Chair Croley asked Mr. Presnell to give a brief report on the emergency situation that the Northwest Florida Water Management District (NWFWM) brought up concerning Stephens Lake Dam on Luten Road.

Mr. Presnell explained Chair Croley had received a request from NWFWM on April 15<sup>th</sup> requesting assistance with Stephen Lake located in Peacock Estates dealing with a dam they had deemed unsafe due to the recent heavy rains located on Luten Road. He said there had been a meeting on April 26<sup>th</sup> and NWFWM explained they would de-water the dam if the County would use their equipment to breach the dam. Mr. Presnell explained he responded to NWFWM that if they would sign an interlocal agreement at an hourly rate and the Board was willing to approve it, the County would be able to assist them and had not had a response from them.

Commissioner Holt stated she would have liked to have been included in the emergency meeting since this was in her district. She added this was private property and when the property owners bought the lots, they were aware that the lots were around water. Commissioner Holt said she had spoken with Mr. Michael Edgar of NWFWM and stated NWFWM received State and Federal funding. She asked Mr. Edgar if he was willing to go after funding and his response was “they don’t do that”. Commissioner Holt told him the water management districts in South Florida do. Commissioner Holt explained they received millage for this, it was on the property tax bills and NWFWM received money.

#### **COUNTY ATTORNEY**

##### **18. Update on Various Legal Issues**

The attorney had nothing to report.

#### **DISCUSSION ITEMS BY COMMISSIONERS**

##### **19.**

##### **Commissioner Taylor, District 5**

##### **Interlocal Agreement with Sheriff’s Department**

Commissioner Taylor stated the Board might want to revisit the Interlocal Agreement between the County and Sheriff’s Department because the Sheriff Department’s rate was too high and explained there was a situation where guardrails had been requested for be placed in an area where traffic was very high and a residential home was located very close to the public road and it was explained to her that the costs were too high to do business with the County. She asked that during the budgeting time, the Interlocal Agreement be revisited.

##### **Summer Youth Program**

She asked if more slots had been obtained for the youth summer employment and Mr. Presnell stated currently they had 56 slots funded.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 3-2 TO ADD 25 ADDITIONAL SLOTS TO THE SUMMER YOUTH PROGRAM. CHAIR CROLEY AND COMMISSIONER MORGAN OPPOSED.**

##### **AUDITORS’ CONTRACT**

She stated when the contract was extended with the auditors she thought it ended at the end of the 2012 fiscal year.

Mr. Presnell explained that the contract was extended through the end of the fiscal year of 2013.



**AMENDING LANGUAGE TO COUNTY ORDINANCES**

She stated there needed to be language added to the county ordinances to require businesses to hire locally.

Chair Croley stated, “When government starts dictating to these businesses about who they can hire or where they have to hire from, you are really get into a Pandora’s Box of problems because no-one will want to come over here and do business with you and I appreciate your intentions, are good, and I say that respectfully. I know you are really trying to help, you and I both know we come from these woods, we may disagree up here at times and we may battle, but I’ll go out here in the woods with you just as well as anybody and go and be just as comfortable. I know what the peoples’ issues are. I want you to know that I appreciate your effort, but I’m going to give you a very serious warning that when you start trying to get into telling these private businesses who they can hire and who they have to hire, they’ll just go someplace else, because they do have other options and if you doubt me, please, and if we can lawfully do it, we can go ride around and look in Bainbridge, look at Industrial Park, the vacant buildings, we can go to Grady County, we can go to Marianna, we can go to Tallahassee, we can go to Madison, wherever you want to ride to. I’m telling you they have plenty of options. When you start saying ‘you’re going to hire somebody, a percentage’, they are going to say ‘Not me’ and they will be gone. I’m sorry, I didn’t mean to take so much of your time, but go ahead.”

Commissioner Taylor responded, “You know, Commissioner Croley, you are absolutely right. You and I have come to do battle from time to time, but I respect the fact that you do care about this county and that you do want to do an honorable job. I respect that. You know, there will be times when we have difference of opinion, but I do respect that and I do know within your heart you do have the best interests of this county. I will never doubt that, I want to say that to you publicly. The CDBG grant, Community Development Block Grant, makes it mandatory that you hire locally when you get their money. When we get businesses that come in here that are getting our contracts, like this little \$19-\$20,000 paving thing we just did, that’s our money. We can say in that instance, ‘hire locally’ because that’s our money and we should be able to have that latitude. We have to be able to say something to these people otherwise we don’t grow our economy. That’s just my opinion. That’s what I’m interested in.”

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 3-2 TO HAVE IT PLACED ON THE AGENDA TO AMEND LANGUAGE OF THE COUNTY ORDINANCES. CHAIR CROLEY AND COMMISSIONER MORGAN OPPOSED.**

**Sidewalks**

Commissioner Taylor wanted to look at some ways to fund sidewalks so people in the rural areas would be able to walk and exercise without fear of walking in the streets.

Chair Croley stated he was working on getting money through CRTPA to fund some of the sidewalk projects, especially if some of the areas could be identified where they might be needed.

**Commissioner Holt, District 4**

**Comp Plan**

Commissioner Holt stated the Comprehensive Plan needed to be reviewed again.

**Friendship Park**

She said she appreciated what the County was doing concerning Friendship Park and added she was hearing good things from the community.

**Commissioner Morgan, District 3**

Commissioner Morgan stated there had been a lot of discussion concerning the young people and the workforce in the County and the inability to find jobs. He added that he understood the issues and concerns that the Board had when there was a potential new business that would come into the County and added that the County did not need to set perimeters to any degree or there would be a limited number of responses from businesses. He added that businesses had to consider what kind of a liability or what kind of an asset that person would be when they hired someone.

*Commissioner Holt stepped out at this juncture of the meeting.*

He added that it was his opinion that the young folks need to have instilled in them the experience of going out and applying for their first job and not sign a piece of paper to get it.

**Commissioner Hinson, Vice Chairman, District 1**

Commissioner Hinson agreed with Commissioner Morgan regarding jobs. He commented that regarding the Summer Youth Program, the last day to apply for the program was May 3<sup>rd</sup> and asked if the time could be extended.

*Commissioner Holt returned at this juncture.*

Mr. Hinson stated he had been told that the school had run out of applications and asked if the deadline could be extended to give the kids a chance to apply that had not received an application.

Mr. Presnell stated they had received over 400 applications and was in the process of reviewing them. He added they were under time constraints because of having to review the applications, checking the grades and then meeting with the parents of the selected students.

Chair Croley added to clarify they had hoped some of the municipalities would join in the funding of this program and it did not happen as had been hoped.

Mr. Presnell explained that the next meeting was May 21<sup>st</sup> and this posed a problem because kids had already been turned away and if the Board voted to go forward, it would have to be re-advertised and re-posted.

Chair Croley added if more funding was obtained, a second round of applications could be taken.

**Commissioner Croley, Chairman, District 2**

Chair Croley stated to Commissioner Taylor his appreciation of her concerns for the county and also thanked Mr. Due for appearing before the Board.

He stated the County had received a very good audit and everyone should be very proud of it.

He also publicly acknowledged and complimented Charles Chapman in his new job with Hendry County as their new County Administrator.

He also stated the County was genuinely trying to bring in jobs to the area and new approaches needed to be taken in regards to economic development.

**RECEIPT AND FILE**

**20.**

- a. For the Record: April 6, 2013 Letter from Town of Havana Regarding Natural Gas
- b. For the Record: FY2012 Administrative Budget Amendments

**MAY MEETING(S)**

-May 21, 2013, Regular Meeting, 6:00 p.m.

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 8:20 P.M.**

**GADSDEN COUNTY, FLORIDA**

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**DOUGLAS M. CROLEY, CHAIR  
BOARD OF COUNTY COMMISSIONERS**

**ATTEST:**

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**MARCELLA BLOCKER, Deputy Clerk for  
NICHOLAS THOMAS, CLERK OF COURT  
GADSDEN COUNTY, FLORIDA**

**AT THE REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON MAY 21, 2013, AT 6:00 P.M.,  
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

Present: Doug Croley, Croley-District 2, Chairman  
Eric Hinson-District 2, Vice Chairman (arrived late)  
Gene Morgan-District 3  
Brenda Holt-District 4  
Sherrie Taylor-District 5  
Nicholas Thomas, Clerk of Court  
David Weiss, Assistant County Attorney  
Robert Presnell, County Administrator  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to order at 6:00 p.m. and asked everyone to stand for the prayer and the Pledge of Allegiance to the U.S. Flag. He asked everyone to please silence all cell phones.

*Commissioner Hinson arrived at this juncture of the meeting.*

**AMENDMENTS AND APPROVAL OF AGENDA**

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS PRINTED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Discussion of Proposed Comprehensive Plan and Land Development Code Text Changes to Increase Density in Agricultural Land Use Districts As Part of a Long-Term County-Wide Economic Development Strategy**

Mr. Presnell introduced the above-referenced matter and explained Mr. Sewell had recommendations for the Board regarding the changes after workshops were held.

**John Sewell, Project Manager, Kimley-Horn and Associates**, gave the Board an update on the proposed changes and explained their direction was to update the future land use map and create a new existing land use map and to develop some economic development strategies specifically around the interchanges. He stated part of the proposed changes would allow a greater number of units on certain AG parcels. He suggested that the Board delay any map changes until they had a chance to look into some concerns from citizens that were expressed at the meetings that were held and take another approach. He explained that one of the approaches would be instead of doing map changes, do just changes to the AG uses and said the benefit in it being done this way would be that it would exclude rural residential. He gave some ideas in possibly doing text changes and not by map change. He suggested the Board look at the new proposal that just looked at the agricultural future land use classifications, doing text changes versus map changes and that would allow better flexibility in the agricultural parcels. He added that another

suggestion they made was any parcel that was greater than 100 acres, leave it as it is today.

**Marion Laslie, 5 Dante Court, Quincy, FL** appeared before the Board and stated she was pleased with what she had just heard as opposed to what had been presented at the Planning and Zoning meeting and looked forward to reading the new plan and had been looking for the maps on the website and asked that they be posted for all to see.

**Clay Vanlandingham, Gadsden County Property Appraiser**, appeared before the Board and said he was glad to see that the current map had been corrected and he had maps to show everyone the different classifications of AG 1, 2 & 3. He added that he understood the need by many citizens to do something to allow a density higher than what it might currently be for family reasons.

Chair Croley stated this was a very complicated subject and thought it would be beneficial in having a workshop to correct the map and address the details that had been mentioned.

Commissioner Holt stated it was time for a vote and at the proper time she would make the motion to add this to the agenda.

Commissioner Morgan asked Mr. Sewell how many citizens attended the workshop and provided input.

Mr. Sewell responded there were approximately 15-20 citizens and the meeting lasted from Noon to around 7:00 p.m.

**2. Presentation on YMCA**

**Ray Purvis, CEO/President, YMCA**, appeared before the Board regarding YMCA coming into the county with some of their programs and having a presence here. He stated at this point there was no firm plan but was eager to pursue the possibilities in Quincy and the surrounding communities and they represented Jefferson, Wakulla, Leon, Taylor, and Gadsden counties.

**CLERK OF COURTS**

**3. County Finance and County Clerk Issues**

Clerk Thomas was present and had nothing to report.

**CONSENT**

Commissioner Morgan asked to pull Item # 6.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS AMENDED. (ITEMS 4-5 and 7)**

**4. Approval of Minutes**

-April 16, 2013-Regular Meeting

**5. Ratification of Approval to Pay County Bills**

**6. ~~Approval of Commissioner Croley, Commissioner Hinson, Commissioner Morgan, Commissioner~~**

**~~Holt and Commissioner Taylor's Travel to the Florida Association of Counties' 2013 Annual Conference~~**

Pulled for Discussion

**7. Signature of Chairman on Equitable Sharing Agreement and Certification**

**ITEMS PULLED FOR DISCUSSION**

**6. Approval of Commissioner Croley, Commissioner Hinson, Commissioner Morgan, Commissioner Holt and Commissioner Taylor's Travel to the Florida Association of Counties' 2013 Annual Conference**

Commissioner Morgan pulled this item and stated he would not be able to attend the Annual Conference.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE TRAVEL AS AMENDED.**

**CITIZENS REQUESTING TO BE HEARD**

There were no citizens requesting to speak.

**PUBLIC HEARINGS**

**8. Public Hearing-Approval of Budget Amendment and Resolution for Hospital Office Space Construction**

Mr. Presnell introduced the above item and asked Jeff Price to explain it.

Jeff Price stated this was basically housekeeping and they were doing a budget amendment and Resolution to move the money from General Funds to a Capital Account to be used for the hospital.

Chair Croley called for any public comments and there were none.

Commissioner Holt stated her concern was the loss of revenue each year in the amount of \$125,000 because Medicare would not pay for the ambulance transporting from the facility here to CRMC in Tallahassee because they considered it an in-house transfer. She added that any medicines or supplies used in the ambulance were paid for by the County. She further added that the money paid to CRMC each year they are sending to the federal government for a dollar for dollar match, which they could refund to the County the \$125,000 that was paid to them, but they are not willing to do so.

Commissioner Hinson stated there needed to be more information provided and that the County Administrator needed to do more research.

Chair Croley stated this was a housekeeping item from a budget standpoint and the Board had been asked to deal only with that.

Mr. Presnell commented that this item was for approval of the budget amendment only.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER TAYLOR, BEFORE THE VOTE, COMMISSIONER HOLT CALLED FOR DISCUSSION.**

The Commissioners had discussion.

**THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE OPTION ONE. COMMISSIONER HOLT OPPOSED.**

**GENERAL BUSINESS**

**9. Development of Physicians Office Space in the Hospital**

Mr. Presnell introduced the above item and stated it was related to the previous item and was for build-out of the physician space located at the hospital. Mr. Presnell asked that CRMC be allowed to be construction manager of the build-out and the not-to-exceed amount would be \$155,000.

Commissioner Hinson stated he did not want to make them construction manager of the project only because he would like to see this job bid out locally.

Clyde Collins appeared before the Board to address questions posed by the Board and explained to them the build-out would be under ACHA review and CRMC would be responsible for anything over the \$155,000 budget.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER TAYLOR FOR OPTION ONE, BEFORE THE VOTE WAS TAKEN, COMMISSIONER HOLT CALLED FOR DISCUSSION.**

Commissioner Holt asked to bid the job out locally.

Commissioner Taylor had comments.

Commissioner Morgan asked the Board to keep in mind that the County currently has an opened facility and added this was a good decision and they were continuing to build a partnership with an HCA organization that had experience in helping this type of facility to grow.

Commissioner Holt had comments.

Chair Croley stated this motion and item was to finish out 1200 square feet by CRMC under the oversight of CRMC and was not about the history of the hospital or the financial status of the county.

Commissioner Hinson said he was not voting for this because he couldn't tell citizens in his district they were not qualified to do the job on the build-out.

Chair Croley asked Mr. Collins to clear things up for the record that the construction would be bid out and CRMC would only be overseeing the job.

**THE BOARD VOTED 2-3 BY VOICE VOTE. MOTION FAILED. COMMISSIONER HOLT, COMMISSIONER HINSON AND COMMISSIONER TAYLOR OPPOSED.**

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-1 BY VOICE VOTE TO ALLOW CRMC TO BE CONSTRUCTION MANAGER, REQUIRE THEM TO BID LOCALLY AND IF THAT IS AN ISSUE, TO ALLOW STAFF TO GO FORWARD WITH CONSTRUCTION TO BE TIMELY COMPLETED AND NOT TO EXCEED \$155,000.**

**10. Request Approval to Fund an Additional 25 Slots for the 2013 Summer Youth Employment Program**

Mr. Presnell introduced the above item and said as directed Staff had identified money and this item had been brought back for Board approval of an additional 25 slots for the Summer Youth Program.

Chair Croley said there was a citizen request to speak on this item and asked them to come forward.

**Emily Rowan, 1200 Little Sycamore Road, Quincy, FL**, appeared before the Board and stated she was upset with the opinions around the Board concerning the hospital and asked the Board to not "screw it up". She added this County needed the hospital and the Emergency Room. She then spoke concerning the summer jobs and said she thought the County was spending too much money on this. She added, "Until this County gets up off its royal rear-end and goes to work, this County is not going to amount to anything and we're starting with the young people. Please don't approve any more jobs for young people, make them get them themselves".

**Mrs. Mary Smith, 3739 Atwater Road, Chattahoochee, FL**, appeared before the Board and stated no-one could get a job in Gadsden County if there were no jobs, young or old, there was nothing here to have as a job.

**Tracy Stallworth, 770 Selman Road, Quincy, FL**, appeared before the Board and stated the youth needed a job in this county. He apologized for being so emotional but said the kids needed this chance and opportunity to make it.

Commissioner Hinson stated the youth program was needed and moved to approve the item.

Commissioner Morgan stated he appreciated Mr. Stallworth's comments and how he faced the adversity of losing his job he found another one to provide for his family.

Commissioner Taylor had comments and stated when the youth apply for the program jobs, they have to fill out an application, meet the criteria, be interviewed and go through the same steps as if they went to a retail store.

Commissioner Holt named several businesses that had closed their doors and stated that the summer job might be the only money that would go into the household.

Commissioner Hinson had comments.

Chair Croley said he had no problem in supporting the youth, but he had a problem when Commissioners would get involved with who got the jobs and added if he saw that one person's child got an advantage over another and the Commissioner had a hand in it, it bothered him and if



he heard of anyone bringing names to the Administrator's office, there would be trouble.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE. COMMISSIONER MORGAN OPPOSED.**

Commissioner Taylor asked that the program be opened back up for applications to give the youth a chance to apply.

**11. Approval to Refinance 2003B Revenue Bonds (Infrastructure) and Impose the One Cent Local Option Fuel Tax and Ninth Cent Motor Fuel Tax**

Mr. Presnell introduced the above item and stated this item had several parts to it and it was dealing with revenue sources for Public Works. He asked for direction from the Board concerning the bond, said there were several options and one option was the ninth cent tax which would go to the County only and would generate approximately \$240,000 but had to be used for Public Works. He further explained that the 1 cent Local Option Fuel Tax would be shared with the cities and would generate approximately \$180,000 for the County. He alerted the Board to the fact that without additional revenue, whether it be general revenue or another source identified, the expectations of capital projects coming out of that department should be lowered.

Chair Croley asked the Assistant County Attorney about refinancing the bond and tax increases and asked if this was an item that needed a public hearing.

Mr. Presnell explained there was a process under Department of Revenue Codes and the Board was only authorizing Staff to proceed with the outlying process that was in statutes.

Chair Croley asked, with the exception of refinancing the bond, would any other action require 4 votes.

Mr. Presnell responded it would.

**Antonio Jefferson, City of Gretna Manager**, appeared before the Board and stated he was not opposed to what the County was attempting but wanted to share some concerns regarding the ninth cent tax. He explained that if they were ultimately to impose the tax on the residents and visitors of this county, it should be on a comprehensive basis where everybody received an advantage of what would take place. He asked that they were going to leverage the tax for them to figure out a way that they could continue to do what they want to do to take advantage of the interest savings, but also to take time to help the little guys out.

Clerk Thomas went on record to state the fuel taxes were down because gas prices had been so high and when the gas prices go down, the fuel consumption and revenue would be up. He added that increasing the taxes would only compound the problem.

Commissioner Holt said, "...So far you can't do any projects because you have no money, and you don't have any money, you can't do any projects. So it's a no-win situation."

Commissioner Hinson had comments concerning the re-paving or resurfacing of the Lake Yvette roads.

Chair Croley asked the County Administrator if the one cent option fuel tax was shared and the ninth cent fuel tax goes to the County.

Mr. Presnell stated that was correct.

Chair Croley then stated he was in favor of refinancing the bond. He added that some of the truck stops that were the primary resource of tax revenue were having some financial problems as a result of an investigation by the Federal government and that is the major source of revenue and the County might be in a little bit of a problem if they decide to not stick around or don't stick around. He added as far as the one cent tax, the County had the majority of the roads; the County should receive the majority of the revenue.

**COMMISSIONER HINSON MADE A MOTION TO HOLD OFF UNTIL THE COUNTY MANAGER GOT FIGURES TOGETHER TO BRING BACK BEFORE THE BOARD AND THEN ENTERTAIN THE PROCESS.**

Chair Croley asked if Commissioner Hinson was moving for Option 4 (refinancing the bond) and he said someone else could move that motion, he was suggesting to hold off until they received the data.

Chair Croley explained if they moved for Option 4, they could refinance the bond and they would hold off on the other issues.

Commissioner Holt suggested they vote separately on the issues.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 TO SPLIT THE ITEMS AND VOTE SEPARATELY ON THEM.**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 TO APPROVE OPTION 4 AND REFINANCE THE BOND.**

Commissioner Holt asked Mr. Presnell what his projected figures were.

Mr. Presnell responded the ninth cent was \$240,000 and the local option would be \$180,000.

Chair Croley stated he understood the desire to see capital improvement projects in Public Works, but he asked everyone to remember there were other funds, i.e., SCRAP, SCOP and CRTPA monies.

Chair Croley declared the item dead and asked to move to the next item.

**12. Approval and Execution of the Environmental Assessment for HUD Funded Proposals. Disaster Recovery Grant #12DB-P5-02-30-01-K65**

Mr. Presnell introduced the above item and stated it was a HUD project for the City of Gretna and the Board had previously approved this in 2011 and this was paperwork required to complete the project.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE AND AUTHORIZE THE CHAIRMAN TO EXECUTE THE PAPERWORK.**

**13. Approval of "Offer to Contract"-Economic Development Florida Small Cities Community Development Block Grant, Contract #:13DB-OI-02-30-01-E 10 and for the Chair to Sign and Execute All Contract Documents Prior to June 11, 2013 Submittal to Department of Economic Opportunity**

Mr. Presnell introduced the item and said they were at the point of approving the contract for the block grant.

*Commissioner Holt stepped out at this juncture of the meeting.*

**AUBURN FORD, 905 ROZENA LOOP, Havana, FL and CHARLIE HARRIS, 2255 Luten Road, Quincy, FL** appeared before the Board.

Anthony Matheny appeared before the Board and explained the State had made an "offer of contract" for \$385,000 grant to install sewer improvements for the proposed assisted living facility.

*Commissioner Holt returned at this juncture of the meeting.*

Chair Croley asked if conditions were not met, would the County be liable for repayment of the \$385,000 grant.

Mr. Matheny stated the County would not be liable; the participating party would be responsible for the entire amount after posting the appropriate surety bond for the entire amount.

Mr. Ford addressed the Board regarding comments made by Mr. Matheny and it was his opinion the surety bond was unnecessary and asked the Board to strike item 26 of the Participating Party Agreement.

Chair Croley asked to let the record show that he and Mr. Harris had a conversation days earlier at the Stones store in Havana regarding this project.

Commissioner Holt asked Chair Croley if getting a surety bond was that difficult.

Chair Croley responded, "It's not really insurance, Commissioner, it's ah, a surety bond guarantees performance and the ability to repay. It's based on three things, it's based on capital, character and capability, called a three-legged stool because the bible says there's the phrase, 'don't give anybody surety unless you know them well'. You require a surety bond whenever you do a construction job out here to make sure that the public is indemnified if something doesn't go right. I think there are probably avenues with Small Business Administration and others that would support Mr. Harris in this endeavor because all a surety bond, if I understood what you said, Mr. Matheny, is guaranteeing that should he default for some reason that the money being taken from the State would be indemnified back so that the County could reimburse that money. I, you know, that's a judgment call on behalf of the commission as to whether or not they feel that that protection is warranted for the taxpayers of the County."

Commissioner Holt asked if this has been required in the past on USDA.

Both Mr. Matheny and Mr. Presnell stated not as far as they knew.

Commissioner Holt stated once Mr. Harris showed he had cash on hand, was that his part?

Mr. Ford stated the cash on hand was his part, the \$385,000 is the County's part and they would get RFP's to dig the hole to put the pipe in the ground.

Commissioner Holt said the pipe was needed whether he was there or not to be able to bring in other businesses.

Chair Croley asked Mr. Presnell for the record, the sewer line pipe on Pat Thomas Parkway is undersized for additional businesses and not large enough and wants to make sure the pipe is of adequate size.

Commissioner Holt said the engineers told them if an 8" pipe was put in, you couldn't run a dry pipe, in order for the pumps to pump; you have to have a certain amount of volume.

Chair Croley stated if they were going to allow for additional growth in the area, he wanted to make sure that the same mistakes were not made again.

Commissioner Morgan asked how the surety bond originated.

Mr. Matheny commented that the DEO stated the surety bond would be one of the County's options to explore to better cover them.

Commissioner Morgan suggested Mr. Harris could get the other items met, come back to the Board and give them more assurances and maybe things could move forward without requiring the surety bond.

*Commissioner Morgan stepped out at this juncture.*

Chair Croley asked the Clerk if he had any input concerning this item.

Mr. Thomas said he did not recall any surety requirements in the past, nor were there any problems with Mr. Ford or Mr. Harris.

*Commissioner Morgan returned at this juncture of the meeting.*

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

#### **COUNTY ADMINISTRATOR**

#### **14. Update on Board Requests**

Mr. Presnell reminded the Board of the Budget workshop scheduled for Thursday, May 23<sup>rd</sup> at 4:00 p.m.

Chair Croley asked if the Emergency Management Interlocal Agreement had been received back from the Sheriff's Department and Mr. Presnell and it should be forthcoming.

Commissioner Hinson had comments regarding the emergency Management workshop that he attended last week.

**COUNTY ATTORNEY**

**15. Update on Various Legal Issues**

Nothing to report.

**DISCUSSION ITEMS BY COMMISSIONERS**

**16.**

**Commissioner Taylor, District 5**

**Interlocal Agreement between Counties**

Commissioner Taylor mentioned the interlocal agreement between the municipalities and the monetary attachment and needed to be part of budgeting process.

**Stephen Dam**

She asked questions concerning the emergency meeting regarding Stephen Dam on Luten Road and Chair Croley explained no decision had been made.

She cautioned the Chair of the proper process on handling emergency items.

Chair Croley explained that "formality is, if there is an emergency declared by another agency, which is what they did, we have to respond and it is an emergency and under the authority under the emergency management program, the Chair, whether it had been you here or anybody else, we had to meet with them to listen to what they had to say and determine the scope of the emergency. That was all that was done and it was made very clear. We are not here to administer district 4 or district 5 or any other district. That was the information provided. Mr. Presnell drafted the response up on behalf of the County. We had them sign in, complete minutes were kept for everybody's information and that was put in the boxes I believe. I don't really know what else you're looking for."

Commissioner Taylor stated anytime the Chairman signs off on a document, it needed to be at direction given by the Board for him to sign.

**Gas Tax**

She asked to agenda the gas tax issue at the Manager's discretion to bring back before the Board to discuss the paving and road projects.

Commissioner Holt asked questions.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT TO PLACE THE ITEM ON THE AGENDA, BEFORE THE VOTE WAS TAKEN, COMMISSIONER HINSON HAD QUESTIONS.**

**THE BOARD VOTED 3-2 BY VOICE VOTE. MOTION DENIED. CHAIR CROLEY, COMMISSIONER MORGAN AND COMMISSIONER HINSON OPPOSED.**

**Commissioner Holt, District 4**  
**Stephen Dam**

Commissioner Holt spoke on the dam issue and stated it should not be decided or anyone meet regarding any issues without the commissioner from that district being involved.

**Tax Amendment**

She stated this needed to be brought back so it could be further discussed.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR TO HAVE A WORKSHOP/SPECIAL MEETING, BEFORE THE VOTE WAS TAKEN THERE WAS DISCUSSION.**

**THE BOARD VOTED 4-1 BY VOICE VOTE. MOTION PASSED. CHAIR CROLEY OPPOSED.**

**Commissioner Morgan, District 3**

Commissioner Morgan had nothing to report.

**Commissioner Hinson, Vice-Chairman, District 1**

Commissioner Hinson spoke of the Emergency Management Workshop he attended and the need to bring someone here for informational purposes on emergency management. He said he would get information to Mr. Presnell so this could be agendaed.

He thanked public works and all employees for their quick response when needed.

He informed everyone of Havana Northside's reunion coming up the weekend and stated he would be the grand marshal.

**Commissioner Croley, Chairman, District 2**

Chair Croley publicly apologized to Commissioner Morgan for earlier attempting to interfere with remarks from Commissioner Morgan regarding the Summer Youth Program.

**Budget Workshop**

He stated he would be out of town for the budget workshop to be held Thursday at 4:00 p.m., it required no quorum and Commissioner Hinson would be handling it.

**Politics**

Chair Croley stated there were a lot of motions starting to be made about going into the cash balance and cautioned the entire Board to be mindful if they kept pulling down reserves, money would not be there when needed. He advised them to be slow and cautious.

**RECEIPT AND FILE**

**17.**

- a. For the Record: April 26, 2013, Gadsden County Health Department's Prevention and Education Program 2<sup>nd</sup> quarter report.
- b. For the Record: May 3, 2013, Gadsden County Health Department report of activities and expenditures for period October 1, 2012 through March 31, 2013.

Gadsden County Board of County Commissioners  
May 21, 2013-Regular Meeting

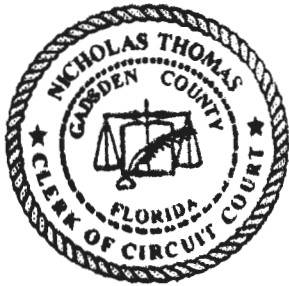
**MAY AND JUNE MEETING(S)**

- May 23, 2013, Budget Workshop, 4:00 p.m.
- June 4, 2013, Regular Meeting, 6:00 p.m.
- June 18, 2013, Regular Meeting, 6:00 p.m.
- June 20, 2013, Budget Workshop, 4:00 p.m.

**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 8:53 P.M.

GADSDEN COUNTY, FLORIDA



ATTEST:

DOUGLAS M. CROLEY, CHAIR  
BOARD OF COUNTY COMMISSIONERS

MARCELLA BLOCKER, Deputy Clerk for  
NICHOLAS THOMAS, CLERK OF COURT  
GADSDEN COUNTY, FLORIDA

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON JUNE 4, 2013, AT 6:00 P.M., THE  
FOLLOWING PROCEEDINGS WAS HAD, VIZ:**

Present: Doug M. Croley-District 2, Chairman  
Eric Hinson-District 1, Vice Chairman  
Gene Morgan-District 3  
Brenda Holt-District 4 (arrived late)  
Sherrie Taylor-District 5  
Deborah Minnis, County Attorney  
Robert Presnell, County Administrator  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to order at 6:01 p.m. and asked everyone to stand for the prayer and the pledge of allegiance to the U.S. Flag.

*Commissioner Hinson arrived at this juncture of the meeting.*

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Croley asked Mr. Presnell if there were any amendments to the Agenda and Mr. Presnell responded there were.

Mr. Presnell informed the Board there was Item #7 to add to the Consent Agenda-Support of a Grant Proposal for Second Chance Act Two-Phase Adult Reentry Demonstration Program: Planning and Implementation FY 2013 Competitive Grant Announcement

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Presentation on the Florida Property Assessed Clean Energy (PACE) Funding Agency Program**

Mr. Presnell stated the first item was a presentation of the PACE program.

**Jonathan F. Schaefer, Program Manager, Third Party Administrator for the Florida PACE Funding Agency and David Ash, Acting Regional Adversary,** appeared before the Board to present the item.

Mr. Ash explained one of the things this program would do would give people the opportunity to retro-fit their homes or businesses to be more energy efficient or to retro-fit their properties in case of a natural disaster.

*Commissioner Holt appeared at this juncture of the meeting*



Mr. Schaefer gave a brief overview of the PACE program and the benefits that it provided and said the program was statutorily governed. He explained this was a local government entity that made financing available to property owners within their jurisdictional limits for installation of qualified improvements and that it was financed for property owners and was repaid through property assessments. He listed several advantages of the program available to local governments, contractors and property owners.

Commissioner Morgan asked questions regarding the program and statutory requirements and the range of interest rates.

Commissioner Holt asked that Mr. Schaefer explain the payback of the loan.

Mr. Schaefer explained by statute, mortgage lenders had a way to escrow the amount and there are no penalties for full payoff and no opportunity for partial payoff at this point.

Commissioner Taylor stated she had sat in on the presentation to the City of Quincy and asked Mr. Schaefer if all he needed was a vote of approval and then stated once that was done, the County had no control over the process and it concerned her. She added once the Board approved this, there would be no recourse.

Mr. Schaefer explained, in terms of control, before any assessments are placed, the County has the right to get out of the contract; after the first assessment is placed, the contract may be terminated at any time for cause without cost or obligation.

Mr. Presnell stated there was more information that was distributed at the meeting and thought this was a good program if used responsibly, and was an opportunity for someone to be able to put in a new air conditioner or a new roof without a lot of out-of-pocket.

Chair Croley spoke and said there had been a lot more time spent on this than planned and if the Commissioners wished to consider this further, it needed to be added to the agenda at a later date.

Mr. Schaefer asked to leave the commissioners with a couple of statements:

- The more control the County has, the more liability they have. The agency has been set up in a way to shield the county from liability.
- Please consider what other options the property owner would have, if they are a business and could not get a commercial loan, what would their other option be?

## **CLERK OF COURTS**

### **2. County Finance and County Clerk Issues**

Clerk Thomas was not present.

## **CONSENT**

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO ACCEPT THE AGENDA.**

### **3. Approval of Minutes**

-May 7, 2013-Regular Meeting

4. **Ratification of Approval to Pay County Bills**
5. **Approval of Signatures for Special Assessment Liens and Rehabilitation Contract-State Housing Initiative Partnership "SHIP" Program**
6. **Approval to Sell Surplus Vehicle to the City of Quincy**
7. **Support of a Grant Proposal for Second Chance Act Two-Phase Adult Reentry Demonstration Program: Planning and Implementation FY 2013 Competitive Grant Announcement**

**ITEMS PULLED FOR DISCUSSION**

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

*Commissioner Morgan stepped out at this juncture of the meeting.*

**Paisley Pryor, 352 Ashton Court, Quincy, FL**, appeared before the Board regarding an unpermitted soccer field that was in the neighborhood and tournaments were held weekly there causing a disruption with heavy traffic in the neighborhood. She read a letter that addressed the concerns of the area residents and it was signed by the residents, along with photos of the events that were in progress that were date and time stamped.

*Commissioner Morgan returned at this juncture of the meeting.*

Chair Croley asked Mr. Presnell to look into the complaints of the area residents.

Mr. Presnell asked Ms. Pryor to see Clyde Collins to give him her contact information and stated the matter would be looked into.

**PUBLIC HEARINGS**

**GENERAL BUSINESS**

**COUNTY ADMINISTRATOR**

**7. Update on Board Requests**  
**Emergency Management**

Mr. Presnell informed the Board that the Emergency Management Agreement had been signed by the Chair and the Sheriff and he would be proceeding with the requirements of the agreement to implement everything.

**SHIP Money**

He informed the Board that the Legislature had funded more SHIP money and Staff would be updating the SHIP by-laws and committee.

**Community Surveys**

He said there were people out doing some community and business needs assessments and gathering statistical data and a document would be put together for strategies.

**Privatization of Probation**

Mr. Presnell stated that during the Budget Workshop that had been held earlier, privatization of Probation was mentioned and he has had conversations with Judge Garner, Nicholas Thomas and probation people and thought it was worth bringing it to the table. He stated there was another budget workshop scheduled for June 20<sup>th</sup> at 4:30 p.m.

Chair Croley said historically, because of the FAC meeting, it had been customary in the past that the 2<sup>nd</sup> meeting in June be waived because of the conference and he asked if anyone had a problem with the meeting scheduled on June 18<sup>th</sup>.

Commissioner Holt said she did.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 THAT THE MEETING SCHEDULED FOR JUNE 18, 2013 WOULD NOT BE HELD.**

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE THAT THE BUDGET WORKSHOP SCHEDULED FOR JUNE 20, 2013 SHALL BE RESCHEDULED FOR JULY 2, 2013 AT 4:30.**

Mr. Presnell informed the Board of a Rural County Summit that would be held at the Pat Thomas Academy on July 9 & 10, 2013. The first day will be concerning school safety and the second day will focus on emergency preparedness.

Chair Croley thanked Mr. Presnell for the leadership shown in getting the emergency management agreement signed and in the code enforcement and magistrate proceedings that had been held thus far.

Chair Croley asked Mr. Presnell what precautions were being taken in securing the parking lot behind the Edward J. Butler building regarding public drinking and other problems that have resurfaced.

Mr. Presnell stated that some time ago overhead lighting had been placed there and signs were erected.

Chair Croley stated that he comes to the office after Church on Sundays and for a period of time the situation was a lot better, but there had been some changes in the neighborhood that has reversed and it was not a good situation. He asked that the level of attention be raised and hoped that things would improve.

**COUNTY ATTORNEY**

**8. Update on Various Legal Issues**

There were no updates.

**DISCUSSION ITEMS BY COMMISSIONERS**

**9.**

**Commissioner Taylor, District 5**

Commissioner Taylor asked to have the emergency agreement placed on the agenda for an update and review because of the length of time it had been since it was last discussed.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO PLACE THE EMERGENCY MANAGEMENT AGREEMENT ON THE AGENDA FOR A REVIEW.**

Commissioner Taylor also said because the hurricane season was upon us, she was not clear of the actual plan in case of a hurricane or extreme weather and asked for an update regarding that also.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO PLACE THE EMERGENCY MANAGEMENT AGREEMENT ON THE AGENDA FOR A REVIEW.**

**Privatization of Probation**

Commissioner Taylor asked if the Judge and/or a representative from probation would attend the workshop to present the pros and cons for the board.

**Commissioner Holt, District 4**

Commissioner Holt asked if any of the economic development groups that had been given funding brought any reports, i.e., Chamber, Small Business Development on what had been done thus far.

Mr. Presnell responded no.

Commissioner Holt stated that they were to bring in reports every so often, now the Board was preparing to go to the Conference and the information would be helpful.

Chair Croley asked if the Board would like the Administrator to make a request formally to the groups for an update.

The Board responded Yes.

**Jail locks**

She asked the status of the Jail and the facility next-door and if it was vacant or going to be vacant.

Mr. Presnell commented that it was not vacant, but there were plans to move the inmates to the newly constructed building in Midway possibly sometime in January.

She added that the Board needed to make a decision if they wanted to replace the locks at the jail or wait to go after another facility after Department of Corrections decided what they were doing and when.

Mr. Presnell stated the locks were going out for bid and after the bids were received, it would be

an action item to come before Board.

**Commissioner Morgan, District 3**

Commissioner Morgan asked to have the PACE program that was presented be placed on the agenda for discussion and decision. He stated he understood the potential concerns, but he thought in this county there were some folks that could benefit from the program and if that was something that was out there for an opportunity, the Board did not need to penalize those who could take advantage of it and it might help increase revenues for the County by potentially increasing property values as well.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 3-2 BY VOICE VOTE TO PLACE THIS ITEM ON THE AGENDA FOR DISCUSSION AND POSSIBLE DECISION. COMMISSIONER HOLT AND COMMISSIONER TAYLOR OPPOSED.**

Commissioner Morgan asked Mr. Presnell for a copy of the mowing schedule.

**Commissioner Hinson, Vice Chairman**

Commissioner Hinson stated he had spoken with Mr. Presnell regarding concerns he had with the advertisement for the Summer Youth Program and he had a problem with wording of advertisement.

Mr. Lawson came forward and said initially the Board had approved 50 slots and he specifically remembered the Board asked that the Administrator set criteria for selection of children for program and the same criteria was used for the second round. He went on to state if the Board chose to change the program at this stage, it might as well be scrapped for this year because there was no time to review all of the applications and start from scratch.

Commissioner Hinson spoke passionately concerning the program. For more details, please review the audio/video that can be found on the Clerk's website at [www.gadsdenclerk.com](http://www.gadsdenclerk.com).

Chair Croley asked Commissioner Hinson to write out his thoughts and to furnish them to the Administrator to incorporate it for future programs.

**Commissioner Croley, Chairman**

Chair Croley said an email had been received that the lighting for the Greensboro, Gretna and Midway interchanges will be designed this month and then construction monies should be developed after July 1<sup>st</sup>.

He added that positive things are going on with regards to the port in St. Joe, which an agreement has possibly been entered into with St. Joe Paper and this would be beneficial to economic development.

**Receipt and File**

10.
  - a. For the Record: May 13, 2013, FY2012 Audit Result Letters to Constitutional Officers from Chairmen Doug Croley

Gadsden County Board of County Commissioners  
June 4, 2013-Regular Meeting

June Meeting(s):

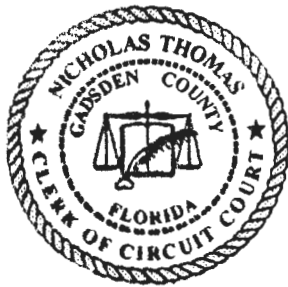
- June 18, 2013-Regular Meeting, 6:00 p.m.
- June 20, 2013, Budget Workshop, 4:00 p.m.

MOTION TO ADJOURN


THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 7:25 P.M.

GADSDEN COUNTY, FLORIDA

  
DOUGLAS M. CROLEY, CHAIR  
BOARD OF COUNTY COMMISSIONERS



ATTEST:

  
MARCELLA BLOCKER, Deputy Clerk for  
NICHOLAS THOMAS, CLERK OF COURT  
GADSDEN COUNTY, FLORIDA

**AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD IN AND FOR GADSDEN COUNTY, FLORIDA ON JULY 2, 2013 AT 6:00 P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

Present: Doug Croley, Chair-District 2  
Eric Hinson, Vice-Chair-District 1  
Gene Morgan-District 3  
Brenda Holt-District 4  
Sherrie Taylor-District 5  
Nicholas Thomas, Clerk of Court  
David Weiss, Assistant County Attorney  
Robert Presnell, County Administrator  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to order at 6:01 p.m. and opened the meeting with a prayer and the pledge of allegiance to the U.S. Flag. A silent roll call was taken by the Deputy Clerk.

**AMENDMENTS AND APPROVAL OF AGENDA**

The following amendment was made to the agenda at the request of the County Administrator:

- Add 8a - A Resolution Authorizing the City of Chattahoochee's Participation in the Florida Main Street Program

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER TAYLOR THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

There were no awards, presentations or appearances.

**CLERK OF COURTS**

**1. County Finance and County Clerk Issues**

Clerk Thomas addressed the Board concerning the new retirement rates that took effect recently. Commissioner Holt said she could not retire again so she saved the County money. Chair Croley pointed out that would add an additional cost to the County overall for not only the Board but also for the Clerk, the judges, all other constitutional officers along with the high-risk officers.

**CONSENT**

Commissioner Morgan asked to pull Item 8a to make a quick comment.

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA TO-WIT: Items 2 through 8.**

**2. Approval of Minutes**

- April 2, 2013 Emergency Management Workshop/Meeting
- April 16, 2013 Enterprise Zone Workshop/Meeting
- May 21, 2013 Regular Meeting

-June 4, 2013 Regular Meeting

3. **Ratification of Approval to Pay County Bills**
4. **Approval of Participation in the Application Process for the FFY-2013 Edward Byrne Memorial Justice Assistance Grant (JAG)**
5. **Approval to Commit the Existing County Building and Site Utilized by the Gadsden County Health Department for Renovation/Construction Funding through Possible Legislative Funding**
6. **Approval of Public Works Mosquito Control Budget FY 2013-2014**
7. **Approval of the Workforce Plus 2012 and 2011 Audit and 2013-14 Proposed Budget**
8. **Request Approval of Grant Funds from The Department of Elder Affairs and the Increase to the 2012-13 Law Enforcement Appropriation for Keeping Seniors Safe (KISS) Program**

**ITEMS PULLED FOR DISCUSSION**

**8a. A Resolution Authorizing the City of Chattahoochee's Participation in the Florida Main Street Program**

Commissioner Morgan wanted to introduce Pamela Medley to the Board and stated she had been instrumental in spearheading the participation of many of the citizens to enroll in the Main Street program.

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE ITEM 8A.**

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

**Ms. Paisley Pryor, 352 Ashton Court, Quincy, FL** appeared before the Board and said this was a follow-up from the last meeting when she appeared before the Board concerning misuse of land use in her neighborhood. Chair Croley asked Mr. Presnell to give everyone an update regarding the situation. Mr. Presnell stated shortly after the last meeting, they met with several citizens in the neighborhood and discovered a number of things; some time back the landowner did come in and pulled an electrical permit and represented that the land would be used for a practice field for soccer. They went out during one of the events and observed the activities and learned it has grown into something more than what was represented by the landowner. Mr. Presnell stated while recreation was allowed in all three AG land uses, he read from the Gadsden County Land Development Code, Subsection 5611(g)5 Access to Residential Lots and stated that it clearly identified that would require a Type II review. He added that the soccer matches have grown into something more than what was initially represented from the landowner in the Type I review.

Chair Croley stated the Board would not entertain questions at this time and this would be brought up for further decision and things were moving forward.

Commissioner Holt cautioned the Board that under Citizens Requesting to Be Heard, they were not to have presentations and if there were, both sides should be contacted before that was done.



**PUBLIC HEARINGS**

**9. Public Hearing-Request to Use Law Enforcement Educational Funds (LEEF) for the Rural County Summit Training**

Morris Young, Sheriff

Mr. Presnell introduced item and stated this was a request from the Sheriff's Office to use \$10,000 in LEEF (Law Enforcement Educational Funds) funding that is on account with the Clerk's office to be used for the 2<sup>nd</sup> Annual Rural County Summit they would be hosting and the money would cover the cost of the registration, facility and travel for various speakers.

**Major Shawn Wood, Gadsden County Sheriff's Department**, appeared before the Board and stated this was a safety summit and stated there were a number of speakers attending and what was significant was the scheduled speakers were coming from the Newtown Police Department and Dell County Sheriff's Office and were from small towns such as ours. He added that the State had given \$6,000 to help cover some of the expenses toward the summit.

Chair Croley called for public comments and there were none.

**UPON MOTION OF COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**GENERAL BUSINESS**

**10. Privatization of Mowing Services Pilot Project – District 5**

Robert Presnell, County Administrator/Curtis Young, Interim Public Works Director

Mr. Presnell introduced the item and stated they were proposing to take bids on privatization of roadside mowing services in District 5 to see if it made a difference having a smaller acreage to mow and see if local bids could be procured.

Commissioner Morgan asked what the overall objective was.

Mr. Presnell stated this was a cost saving measure, to see if doing this on a smaller scale would generate more interest and added in the past when bids were asked for a county-wide mowing service, there was little interest and the bids were too high.

Commissioner Morgan said he was looking to improve the quality of the mowing services.

Mr. Presnell stated the four tractors could not get around the county any faster than approximately six weeks. He added, if the Board approved this, he hoped to get some competitive bids for that district; he would then use the four tractors for the other districts. He also stated he hoped to see substantial savings and he was asking for permission to "test the waters".

Commissioner Holt asked if someone was doing this and what the numbers looked like and stated she was against privatization and was not for it without the data.

There was further discussion by the Board. For more information concerning Board discussion, please go to the Clerk's website at [www.gadsdenclerk.com](http://www.gadsdenclerk.com) to view the audio/video recording.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY CHAIR CROLEY, BEFORE VOTE COULD BE CALLED COMMISSIONER HOLT CALLED FOR DISCUSSION.**

There was more Board discussion.

**THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THE ITEM. COMMISSIONER HINSON OPPOSED.**

**11. Department of Homeland Security Grant for Training and Exercise Contract Number:13-DS-97-02-03-01 (CFDA# 97.067)**

Major Shawn Wood, Gadsden County Sheriff's Office

Mr. Presnell introduced Item 11 and stated it was a request by Emergency Management to apply for a grant for emergency management training.

**UPON MOTION OF COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

**12. Approval of Volunteer Fire Department Interlocal Fire and Rescue Service Agreements**

Interlocal Fire and Rescue Service Agreements between Gadsden County, FL and Concord, Chattahoochee, Greensboro, Gretna, Havana, Mt. Pleasant, Robertsville/St. John, Sycamore and Wetumpka Volunteer Fire Departments.

Mr. Presnell introduced the above item and stated it was for approval of the volunteer fire departments' Interlocal Agreement that was expiring on September 30<sup>th</sup> this year and included all of the departments with the exception of Midway. Midway's City Manager informed the County Administrator that their Board would be approving the item at their next meeting and it would then be brought back to the Board at a later date.

Mr. Weiss had comments concerning the agreements and thought there were some issues that needed to be looked into further.

Commissioner Morgan asked the reason for the change in the length of the contracts from two years to three years and if they needed to wait to approve Midway, why approve any of the contracts tonight?

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, BEFORE VOTE COULD BE CALLED COMMISSIONER HOLT CALLED FOR DISCUSSION.**

There was discussion among the Board.

**THE BOARD VOTED 5-0 BY VOICE VOTE TO TABLE THIS ITEM.**

**13. Award of Construction for the Local Program Project-Florida Department of Transportation-Salem Road (CR 159)**

Mr. Presnell introduced the item and stated it was for approval to award the LAP project for to Peavy and Son Construction for the widening and resurfacing of Salem Road.

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

**COUNTY ADMINISTRATOR**

**14. UPDATE ON BOARD REQUESTS**

Mr. Presnell stated he had a few updates:

**Audit**

During the auditing process, the auditors had some concerns with EMS and their handling of the monies and those issues have been addressed and corrected. He also informed the Board that the other concern the auditors had regarding the plan for disaster recovery with IT would be brought before the Board at their next meeting.

**Budget Workshop**

He reminded the Board of the Budget workshop that was scheduled for July 25<sup>th</sup>.

Commissioner Taylor stated she saw that the citizens stayed concerning the soccer field issue and thought that it needed to be addressed quickly to bring resolution for the neighbors.

Chair Croley stated that he was aware that the Board needed to allow the Administrator to determine what action he was going to take and he wanted him to explain the situation while the majority of the people were present in case they wished to leave the meeting earlier.

Commissioner Holt stated that in a public meeting, issues cannot be discussed without everyone having an opportunity to be present. She also mentioned that regarding the mowing issue, she had seen on some of the home network television shows that some people were looking into a shorter growing grass to help cut down on the mowing season and asked the Administrator to look into that.

Commissioner Morgan applauded Mr. Presnell in his cost saving efforts and asked that when the mowing item was brought back, to please include details as to where they were currently and what was hoped to be achieved. He then spoke on the issues concerning the landowner and upset neighborhood and said if he lived there, he would want to know when the problem would be resolved.

Mr. Presnell said that at all options were being looked into.

Chair Croley stated that while on the issue of the questionable recreation going on in that neighborhood, he was hearing from the commission that they wanted to make sure that a timely decision was made. He then asked the Administrator of the status of the locks at jail.

Mr. Presnell informed the Board that the mandatory walk through for potential bidders was scheduled for the next week.

**COUNTY ATTORNEY**

**15. UPDATE ON VARIOUS LEGAL ISSUES**

Mr. Weiss stated the only item he had was for the Board to recess at this time for a private attorney-client session regarding pending litigation.

**16. RECESS BOCC MEETING AND RECONVENE FOR A PRIVATE ATTORNEY-CLIENT SESSION**

Sumos Uno, Inc. v. City of Midway, FL and Gadsden County, FL

**17. RECONVENE THE BOCC MEETING**

Chair Croley called the Meeting to order and the meeting was reconvened.

**DISCUSSION ITEMS BY COMMISSIONERS**

**18. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**COMMISSIONER TAYLOR-DISTRICT 5**

Commissioner Taylor stated they had been asking for a streamline process to brand this county and let everyone know that it only took a couple of steps for someone to bring their business to Gadsden County.

Mr. Presnell informed the Board that this would need to be work shopped because they were running into roadblocks.

**Citizens Bill of Rights**

She stated she was being told by developers that this was hurting the County and that it certainly had not helped and it was her opinion it was running businesses away and she was concerned.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT TO HAVE STAFF LOOK INTO THIS AND BRING THE MATTER BEFORE A JUDGE TO HELP THEM, BEFORE THE VOTE WAS TAKEN, CHAIR CROLEY CALLED FOR DISCUSSION.**

There was discussion among the Board.

**CHAIR CROLEY CALLED FOR THE VOTE, THE BOARD VOTED 3-2 BY VOICE VOTE. MOTION FAILED.**

**COMMISSIONER HOLT-DISTRICT 4**

**Economic Development**

Commissioner Holt stated that economic development was very important and it must be addressed at every meeting to see if changes could be made and another option would be for the citizens to bring a lawsuit instead of the Commissioners to change the Bill of Rights. She said she really wanted to see if their Planning and Zoning Board could have workshops to try to bring in economic development.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON TO PLAN WORKSHOPS FOR PLANNING AND ZONING, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS.**

**Grant Writer**

She stated that the engineering company had mentioned that they had a grant writer and could the grant writer look at different grants that might be available and, if so, she would like to have a report back from the group as to what was out there.

**COMMISSIONER MORGAN-DISTRICT 3**

Commissioner Morgan stated there were two departments without department heads at this time and asked Mr. Presnell what his intentions were regarding that.

Mr. Presnell stated he would not recommend doing anything regarding that until after the budget was completed.

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY CHAIR CROLEY TO LOOK FURTHER AT THE PRIVATIZATION OF COUNTY PROBATION SERVICES, THE BOARD VOTED 3-2 BY VOICE VOTE. COMMISSIONERS HOLT, TAYLOR AND HINSON OPPOSED. MOTION FAILED.**

**COMMISSIONER HINSON, VICE CHAIRMAN-DISTRICT 2**

Commissioner Hinson asked if there was anyway the Board could advertise for a director of public works now and added he would like to see a permanent person in that position.

He further added he was at a meeting with the Superintendent on the collaboration of Havana Elementary School merging with Havana Middle School and as they discussed the merge and in talking with some of the constituents, it was mentioned about the County taking charge of the school to promote economic development.

Mr. Presnell asked if he wanted him to engage the superintendent about acquiring the elementary school for \$1.00.

Commissioner Hinson added that this was an awesome board, thanked everyone; he told Mr. Presnell he had heard compliments regarding his staff and thanked him for everything and thanked the Deputy Clerk.

**COMMISSIONER CROLEY, CHAIRMAN-DISTRICT 1**

**Budget Workshop**

Chair Croley mentioned the Budget workshop scheduled for July 25<sup>th</sup> and asked the Commission if they would consider moving it to the next week because he and Commissioner Hinson would be out of town at the National Counties conference.

**UPON MOTION OF CHAIR CROLEY AND SECOND BY COMMISSIONER TAYLOR TO SCHEDULE A PLANNING AND ZONING WORKSHOP FOR AUGUST 1<sup>ST</sup>, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS.**

**CRTPA Meeting**

He said they continually meet with success for funding projects for lights and improvements at the interchanges and the bridge situation and things were very positive about getting help.

**Health Insurance**

He had a question regarding the health insurance and stated that last year due to questions being asked, the Board saved \$184,000. He said his next question was with the health insurance proposal and asked what CHP was proposing.

Mr. Presnell said the current plan was a 6% increase of \$138,000 if kept at the same level.

Chair Croley said there needed to be more options presented at the upcoming budget workshop.

*Commissioner Morgan stepped out at this juncture of the meeting.*

Chair Croley asked Mr. Presnell to look at costs of paying full coverage for the employee and let the employee pay for their dependents and asked him to have that information available for the next budget meeting.

*Commissioner Morgan returned at this juncture of the meeting.*

#### **FAC Conference**

He discussed the FAC conference and mentioned the economic development meeting that he and Commissioner Taylor attended, and one thing that was needed is a site supportive of future development, preferably where there are two railroads coming together with utilities necessary to support it to be a site for future economic development ready to go.

#### **P&Z**

He then discussed the process of Planning and Zoning and stated it was advisory. He stated the needed to look at the fees closely and maybe reduce them and felt like they were sometimes too high for what citizens were applying for. He also mentioned they needed to streamline the process so when the citizens made the applications, it was a well laid out track. He felt that it was too cumbersome and needed to make it more user friendly. He added having the three things in place, to-wit: checking fees, proper site plan, making the process more user friendly would streamline the process.

In closing, he added that he was going to mimic what Commissioner Hinson had said earlier in that he appreciated everyone here.

#### **RECEIPT AND FILE**

#### **19. Gadsden County Chamber of Commerce March 2013 Economic Development Report**

#### **JULY MEETING(S)**

- July 16, 2013-Regular Meeting, 6:00 p.m.
- July 25, 2013-Budget Workshop, 4:00 p.m.

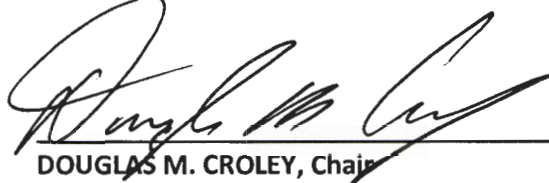
Gadsden County Board of County Commissioners  
July 2, 2013 – Regular Meeting

**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 9:14 P.M.

GADSDEN COUNTY, FLORIDA



  
DOUGLAS M. CROLEY, Chair

ATTEST:



Marcella Blocker, Deputy Clerk

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON JULY 16, 2013, AT 6:00 P.M.,  
THE FOLLOWING PROCEEDING WAS HAD, VIZ:**

Present: Doug Croley-District 2, Chair  
Eric Hinson-District 1, Vice Chair  
Gene Morgan-District 3  
Brenda Holt-District 4 (arrived late)  
Sherrie Taylor-District 5 (arrived late)  
Nicholas Thomas, Clerk of Court  
Deborah Minnis, County Attorney  
Robert Presnell, County Administrator  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to order at 6:02 p.m. and asked everyone to stand for the prayer and the pledge of allegiance to the U. S. Flag. A silent roll call was done by Marcella Blocker, Deputy Clerk.

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Croley asked if there were any amendments or additions to the agenda. Mr. Presnell said he would like to add Item 14a to the agenda:

- Request Approval of Shawn Wood as the Emergency Management Director

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 3-0 TO APPROVE THE AGENDA AS AMENDED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. 2013 Legislative Consultant Report**

Mr. Presnell introduced the above item and said Mr. Doolin, the County's legislative consultant, was present to give the Board an update on actions of the Florida 2013 Legislature.

**Chris Doolin, Christian B. Doolin and Associates**, appeared before the board to give an end of session report. He reported that Senator Montford and Representative Williams were accessible, supportive and did everything asked of them and more. He also informed the Board that both leaders would be receiving special recognition for the leadership efforts from the Small County Coalition. He handed out literature that showed an overview of the Gadsden County Priorities-actions that impacted Gadsden County and local government legislation, bill summaries, relative funding and a set of vetoes that impacted small counties.

*Commissioner Holt and Commissioner Taylor arrived at this juncture of the meeting.*

Mr. Doolin said Gadsden County receives substantial funding from the State in terms of revenue sharing, fiscally constraint funding and grant programs, over \$6 Million. He added there was a



change in the Medicaid formula County Cost Share. He explained the cost share has been based on what residents in Gadsden County use and that it will change over the next seven (7) years to the number of County residents that are enrolled in Medicaid programs. He told the Board if there was no change, their share would increase approximately 50% over what is currently paid, which is \$600,000 and seven years down the road, the County will be paying \$1.1 Million. He said there will be a 24% increase in the State program and an 89% increase in Gadsden County strictly based on the formula change.

#### **CLERK OF COURTS**

##### **2. County Finance and County Clerk Issues**

Clerk Thomas introduced Rhonda Woodward as the newest member of the financial staff, told the Board she was a certified Public Accountant and a certified government financial manager.

Mrs. Woodward told the Board she appreciated the opportunity and she was delighted to spend the rest of her years with the State of Florida and Gadsden County and be close to home so she would be able to participate in community events and be more a part of her Church and family and thanked them for the opportunity.

#### **CONSENT**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 TO APPROVE THE CONSENT AGENDA AS PRINTED. (ITEMS 3-6)**

##### **3. Approval of Minutes**

-May 23, 2013 Budget Workshop

##### **4. Ratification of Approval to Pay County Bills**

##### **5. Approval of Local Agency Program (LAP) Supplemental Agreement for Shady Rest Road Paved Shoulders Project**

##### **6. Approval of an Information Technology (IT) Disaster Recovery Plan for The Gadsden County Board of County Commissioners**

#### **ITEMS PULLED FOR DISCUSSION**

#### **CITIZENS REQUESTING TO BE HEARD**

**Sam Palmer, 1225 Berry Street, Quincy, FL**, appeared before the Board concerning the Citizens Bill of Rights. He stated he was representing himself along with a group of citizens that had expressed concerns regarding the Bill of Rights and asked that it be addressed again. He asked if the Commission could not get together and deal with the Bill of Rights, to allow the citizens have an opportunity to deal with it themselves by putting it on the ballot at the next election.

**Auburn Ford, City Manager of Midway, 95 Rozena Loop, Havana, FL**, appeared before the Board concerning the EMT truck that was promised to the City of Midway and he wanted to remind the Board of the previous commitment made by them.

**Anthony Thomas, 159 Strong Road, Quincy, FL**, he said he was piggy-backing Mr. Palmer's request that the Commissioners address the Citizens Bill of Rights. He stated if he wanted to do anything, i.e., go to movies, go swimming, go skating, get a job, he has to go to Tallahassee and didn't think the Commissioners has served the citizens well. He said that the Commissioners had an opportunity if they would reach closure to make this a fantastic place to stay and asked that everyone come together to make Gadsden County a better place to live and work.

**Michael Dorian, 145 Alligator Run, Quincy, FL**, represented Gadsden United and Company, appeared before the Board and stated they thought the Citizen Bill of Rights needed to be kept, while it might need to be improved, re-worded and updated. He stated there was no State oversight because the Department of Community Affairs have been stripped and no longer existed.

**Joanie Bradwell, 644 George Street, Quincy, FL**, she appeared before the Board and stated she had applied for a position as Special Coordinator and was told that the position was closed, but was informed by Lonyell Black the job had not closed and would be advertised. She stated she made more money than the job paid, but after looking at the job description, she decided to apply for it. She stated while she was well qualified, she never was afforded an opportunity to interview for the position. She stated she called Ms. Black to inquire the status of the application process and added the reason she called was several people had told her that she "would not get an interview ...because Ms. Black handles HR the way she likes to and for whatever reason you probably won't get an interview". When she inquired of Mr. Lawson why she was not afforded the opportunity to interview, she was told it was not because she was not qualified, but the County Manager was looking for something specific. She appeared before the Board to inquire as to what "specific" they were looking for to fill that position and also there were other instances that had occurred that has happened in HR. She stated it seemed to her that HR had a "beast that was running rampantly in HR that's doing things the way that she wants to do and I'm aware of lawsuits that, in the past, that has happened here for the County and if the beast isn't contained, there's going to be more lawsuits."

#### **PUBLIC HEARINGS**

**7. Board Approval of SunTrust Bank's Loan Proposal and Ordinance 2013-007 to Refinance the Balance of the County's \$8,850,000 2003 Gas Tax Loan Currently with The Florida League of Cities**

Mr. Presnell introduced the above item and stated they were seeking Board approval for refinancing of the balance of the County's Gas Tax Loan.

**Jim Gollahon, Gollahon Financial Services**, appeared before the Board and stated there were a few requirements that had been negotiated he wanted to mention for the record:

- Default rate if payments not made would escalate from 1.44% to 18% and added that was unlikely to happen because the debt had been paid on for 10 years;
- If the loan at a future date is no longer bank qualified, which is special designation under the lax law, the rate would escalate from 1.44% to 2.21% and that was unlikely to happen. Bond counsel gave their opinion it was bank qualified.

- The bank wanted a waiver of a jury trial if it came up in a litigation process so it would be arbitration and not a jury trial.

Mr. Gollahon added that the savings over the next five years and four months would be \$381,000 or \$71,000 for each year. He said including this amount with the amount saved on the hospital loan refinancing in February was a little over \$1.9 Million plus with these 2 loans, the County saved about \$2.3 Million.

Chair Croley asked the amount of the closing costs.

Chair Croley asked if there were any citizens who wished to speak for or against the item.

Mr. Gollahon explained the savings were after the closing costs had been paid and the net savings were \$381,000 after the closing costs and the total closing costs was \$42,028.00.

Chair Croley called for any comments from the public and there was none. He explained that, for the record, this was refinancing the existing transportation bond and taking advantage of the lower interest rate to be paid out over the next five years and save \$381,012 of the taxpayers' money.

Commissioner Holt asked if there was anything that would cause them to not qualify.

Mr. Gollahon said that was a lawyers' call on that, but under the tax law, if less than \$10 Million was issued in a calendar year, the bank provides an additional incentive for a bank to buy this loan and that way why it's called "bank qualified".

Commissioner Morgan stated for the public's knowledge, this was a fixed interest rate.

Chair Croley asked him to break down the closing costs.

Mrs. Minnis stated for the record a correction in the numbering of the Ordinance and stated it should be 2013-007.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 TO APPROVE THE LOAN PROPOSAL.**

**8. Consideration and Approval/Denial of Sicamu, Inc. (Spray Química) Site Plan and New Use Request in Industrial Land Use District (SE-2013-002)**

Mr. Presnell introduced the above item and stated this was for approval or denial of Sicamu, Inc., to re-use a site in an industrial category which would require a Type II level review and the Citizens Bill of Rights meeting had been held on June 16, 2013 and this has been through Planning and Zoning and was before the Board for their consideration.

Chair Croley asked if there were any citizens who wished to speak for or against the item.

**Michael Dorian** appeared before the Board with questions. He asked if the "red signs" were posted before the meeting.

**Jill Jeglie, Interim Planning and Community Development Director**, stated signs were posted and could have been knocked down before the planning meeting so another one was posted 7-8 days prior to the meeting.

Mr. Dorian stated a citizen noted signs were **NOT** posted and he asked that this item be taken back to Planning and Zoning and correct notification given to the citizens. He added that notification was given to the surrounding property owners but not given to people that work in the medical facilities.

Ms. Jeglie stated they had notified all property owners according to state statutes and Gadsden County Ordinances, but they had no way of obtaining names of who lived in the assisted living facility temporarily so statute requirements had been met.

**Karen Bass, 407 E. 9<sup>th</sup> Avenue, Havana, FL**, appeared before the Board representing the company and stated she was available for any questions there might be.

Commissioner Taylor said her position had not changed concerning the aerosol company and having the chemicals in that area concerned her.

Commissioner Holt stated Mr. Dorian brought up a very good point with the residents in the apartments, she liked the idea of jobs, but they needed to consider the residents that lived in the area.

Commissioner Morgan stated there seemed to be two issues:

- proper notification of the meeting;
- potential safety concerns.

Ms. Jeglie said the only question was if Mr. Matheny had posted a sign prior to the Planning Commission meeting and added she was not certain, there had been bad weather. She added they had received a call the sign was not posted prior to the meeting and the sign was re-posted approximately a week ago.

Mr. Morgan stated there seemed to be some ambiguity on the issue of proper notification. He added there seemed to be safety concerns that may or may not be legitimate and said, "There is no industry located in our county presently nor is there any industry that will ever come to our County that is going to be void of any type of risks. It's just a matter of measuring that and doing everything that you can possibly do to minimize and overcome that." He stated there was a prior business that was located at that site and they made every effort to make sure there was a buffer between that business and what was then the hospital and now was the Emergency Center.

Chair Croley asked Mr. Presnell if the matter was properly noticed with the sign postings.

Mr. Presnell stated he could not comment as to what Mr. Matheny had or had not done while in the County's employ.

Commissioner Taylor commented Ms. Jeglie stated the Florida Statutes and her responsibility



was to notify the property owners, but there were 4 nice sized complexes in the area that have not been properly notified. She asked that it be sent back to Planning and Zoning to be properly noticed.

Chair Croley spoke on the Citizens Bill of Rights and added it was intended to provide good notification to the community and said Commissioner Taylor raised a good point with the notification. He asked who was responsible for notification of the meeting.

Ms. Bass stepped forward to explain the steps taken to properly notify the surrounding residents of the upcoming meeting and explained she had copies of everything that was done, notification sent to property owners (130 letters) and legal ads placed in three newspapers.

**Chief Scott Haire, City of Quincy Fire Chief and Fire Marshall**, appeared before the Board and stated he had concerns as well when he heard about the proposed business and read into the record a portion of his report.

"I met with Mr. Pons on June 27, 2013 and as reported in the Planning Commission meeting that evening, Mr. Pons assured all involved that he was following all FPA codes and standards, as well as other State, Federal and local ordinances and statutes. I wanted that assurance from him that if he locates this plant in this location, all codes were followed. I prepared a list of questions for Mr. Pons regarding Spray Química, and he answered all my concerns satisfactorily..."

Chief Haire stated that a lot of his issues had been addressed by Mr. Pons and with the assurance of the proposed safety plan, he saw no problem. He then read a letter addressed to the County Commission. (Letter is attached.)

Commissioner Hinson asked if the Health Department had been contacted.

Mr. Presnell stated if the Board approved this, they would have to come in and apply for the permit, what the Board was seeing was conceptual plans.

Commissioner Taylor asked if Planning and Zoning committee had voted and approved this request and had several questions she asked of Chief Haire and Ms. Jeglie. She stated as bad as the area needed jobs, it was her opinion that this go back to Planning and Zoning.

Commissioner Holt stated her main concern was the location. She stated the volatility of the chemicals had to be looked at in case there was an explosion and if there was, where would the people in the area go.

**Ed Allen, Planning and Zoning member**, appeared before the Board and said according to the Citizen Bill of Rights there was to be two citizens meetings and to date there had only been one meeting held. He told Commissioner Taylor that the Planning and Zoning Board relied on the Fire Chief's expertise regarding the matter and he asked if the gas house was separated and they were assured by the owner that it was a separate building.

Commissioner Morgan asked the board members if they would be opposed if, for instance:

- a mining operation such as BASF, wanted to come to Gadsden County if they would be for or against it, among other different employers that are currently in the county;
- They are talking about adding over \$1 Million in payroll in the County with 30 jobs earning just over \$35,000/year.

Commissioner Morgan stated while he thought the notification issue needed to be dealt with, if this was an industry that the Board was not in favor of, why put everyone through the process again just to come back before the Board and have it denied.

Chair Croley said they would need to draw the discussion to a close.

**David Gardner, Gadsden County Chamber of Commerce**, appeared before the Board and stated regarding the issue if it had been properly noticed, they certainly wanted to follow proper procedures and added concerning the safety issues, he thought they had been addressed by the owner and the fire chief.

Mr. Dorian asked to respond to some of the comments made and said there were plenty of industrial sites available in the area that would not be next to neighborhoods.

Commissioner Hinson stated there was a commissioner that felt uneasy about this being in her district and he respected that and in talking with the County Administrator, he said those issues would be addressed and before he approved it, he stated he was only for it now to move the process forward.

Mr. Presnell informed the Board that the vote tonight required a super majority vote.

Commissioner Taylor asked if this could be tabled, be properly noticed, get some conceptual ideas into the plans.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT TO TABLE THE MATTER FOR READVERTISEMENT AND RENOTIFICATION, BEFORE THE VOTE WAS TAKEN THERE WAS DISCUSSION AMONG THE BOARD.**

Ms. Jeglie said her understanding was it could be remanded back to the Planning and Zoning.

Ms. Minnis asked to amend the motion.

Commissioner Taylor withdrew her motion and Commissioner Holt withdrew her second.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 TO REMAND THE ITEM BACK TO PLANNING AND ZONING FOR PROPER STEPS TO BE TAKEN.**

*Commissioner Morgan stepped out at this juncture of the meeting.*

**9. Final Reading-Request to Adopt by Ordinance Comprehensive Plan Text Amendments to Policy 1.1.5(B) Rural Residential and Policy 1.1.5(C) Agricultural- (CPA-2013-01)**

Mr. Presnell introduced the above item and stated this was the final hearing and pertained to clarifying and updating the Gadsden County Comprehensive Plan.

*Commissioner Morgan returned at this juncture of the meeting.*

Mrs. Minnis corrected the Ordinance Number to 2013-008 for the record.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 TO APPROVE THE ADOPTION OF THE ORDINANCE.**

**GENERAL BUSINESS**

**10. Approval to Sell Three Stryker Cribs to Capital Regional Medical Center**

Mr. Presnell introduced the above item and stated was for approval to sell three beds.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 TO APPROVE THIS MATTER.**

**11. Request Board Approval to Award Bid No. 13-05 For The Partial Reroof at The Gadsden County Courthouse and Authorize the Chairman to Execute the Contract and Request Board Approval for the Additional Interior Renovations and 3<sup>rd</sup> Floor Renovations**

Mr. Presnell introduced the above item and explained the reason for the renovations being separated was to be able to bid the jobs out to local bidders.

Commissioner Taylor stated she had concerns with the difference in the bid amounts and stated she would not support change orders.

Commissioner Hinson asked if the jobs were advertised in the newspapers.

Commissioner Morgan asked if the attorney had any concerns with the way the jobs had been bid out.

Commissioner Holt stated she would like the jobs put out there.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 TO APPROVE THIS MATTER.**

**12. Approval of the Construction, Engineering and Inspection Services to Reynolds, Smith & Hills CS, Inc. for the Local Agency Program Project-Florida Department of Transportation-Salem Road (C.R. 159)**

Mr. Presnell introduced the above item and stated this was for Board approval of the agreement for the construction, engineering and inspection services to Reynolds, Smith & Hills, CS, Inc. for the LAP grant from DOT for the Salem Road project.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 TO APPROVE THIS MATTER.**

**13. Approval of Millage Rate for TRIM Notification and Set the Date, Time and Place for the Public**



**Hearings to Adopt the Fiscal Year 2013-14 Gadsden County Budget**

Mr. Presnell introduced the above item and stated this was for approval of the millage rate for the TRIM notification and he explained the millage rate was staying the same.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4-1 TO APPROVE THIS MATTER. COMMISSIONER HOLT OPPOSED.**

**14. Discussion of the Emergency Management Inter-Local Agreement between The Gadsden County Sheriff's Office and Gadsden County Board of County Commissioners**

Mr. Presnell introduced the above item and stated this was for discussion and overview of the emergency management inter-local agreement between the Gadsden County Sheriff's Office and the Gadsden County Board of County Commissioners that was recently approved on April 16, 2013.

**MAJOR SHAWN WOOD, 312 Marion Street, Chattahoochee, FL** appeared before the Board to answer questions that the Commissioners had.

Commissioner Hinson stated he had recently attended the Emergency Management conference and discussed issues from the conference.

*Commissioner Taylor stepped out at this juncture of the meeting.*

*Commissioner Taylor returned at this juncture of the meeting.*

Chair Croley stated the main thing they were attempting was to get the emergency management plan done.

Commissioner Taylor stated she could not remember what changes were made and what issues held this up for so long.

Ms. Minnis said the entire agreement was a new product.

Commissioner Morgan said Major Wood had commented about having a healthy fund budget for local disasters.

**14a Request Approval of Shawn Wood as the Emergency Management Director**

Mr. Presnell introduced the above item and stated this was to request approval of Shawn Wood as the Emergency Management Director pursuant to section 3(ii) of the interlocal agreement between the County and the Sheriff's Office.

Commissioner Taylor gave Major Wood different emergency scenarios and asked him to give steps from his training to ensure safety of the citizens.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-1 TO APPROVE THIS MATTER. COMMISSIONER TAYLOR OPPOSED.**

**15. Approval and Execution of Resolution 2013-012 and a Subscription Agreement Granting Florida PACE Funding Agency the Authority to Offer Voluntary Financing to Gadsden County**



**Property Owners for Qualifying Improvements to their Home or Business**

Mr. Presnell introduced the above item and said it was for Board approval of Resolution 2013-012 and for the execution of a Subscription Agreement granting the Florida PACE Funding Agency to offer voluntary financing opportunities to property owners for qualifying improvements to their home or business.

**David Ash, representing SAIC (a third party administrator), Mark Lawson, Esquire, (special Counsel) and Lisa Miller (a former Deputy Insurance Commissioner), representing PACE,** appeared before the Board to answer questions the Board might have.

Commissioner Taylor said she had problems because if they gave PACE the ok to go further, they had no input over the matter and had no way to protect the citizens.

Commissioner Morgan asked why penalize a good number of people in the community who are responsible, tax-paying citizens because there might be some that are irresponsible and said this program could benefit a lot of citizens that live in older homes.

There was discussion among the Board concerning the pros and cons of the program.

Mr. Lawson and Mr. Ash addressed questions the Board had and stated people who were eligible for this program were people who were responsible and had paid their bills and the maximum amount that could be borrowed against the property was 20% of the assessed value of the property. He added this was not just for residential and added the initial project funding would only be available for commercial and jumbo or non-conforming loans.

*Commissioner Morgan stepped out at this juncture of the meeting.*

Commissioner Hinson asked if this was available for residential loans at this time.

Mr. Lawson stated the funding was not available immediately, only for non-conforming and commercial at this time.

*Commissioner Morgan returned at this juncture of the meeting.*

**COMMISSIONER MORGAN MADE A MOTION TO APPROVE, MOTION DIED FOR LACK OF SECOND.**

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT FOR COMMERCIAL AND JUMBO LOAN PROJECTS ONLY, THE BOARD 4-1 VOTED TO APPROVE THIS MATTER. COMMISSIONER TAYLOR OPPOSED.**

**COUNTY ADMINISTRATOR**

**16. Update on Board Requests**

Mr. Presnell mentioned thank you cards to the Board received from kids that attended 4-H camp in Madison County.

**Senator Montford**

Senator Montford will host a grand opening of his office in the CEDO Building on Thursday, July 18<sup>th</sup> from 5-7:00 p.m.

**Soccer field**

Mr. Presnell said after review, a determination was made that the activities at the soccer field on Ashton Court does require a Type II review and notification has been sent to the landowner by certified mail.

Chair Croley asked if the soccer activities would have to cease and was there an alternative site for the soccer games.

Mr. Presnell said the games would have to end at that location and an alternative site had been found at the Lee Garner Field in Chattahoochee that would be a superb site for the games.

**Mowing**

Chair Croley asked about the rounds that were made on mowing and made a suggestion for the Administrator's consideration on the way the equipment is used.

**COUNTY ATTORNEY**

**17. Update on Various Legal Issues**

Ms. Minnis said she had nothing to report.

**DISCUSSION ITEMS BY COMMISSIONERS**

**18. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**Commissioner Taylor, District 5**  
**Citizens Bill of Rights**

Asked Ms. Minnis if the Citizens Bill of Rights could be put on a referendum.

Ms. Minnis said she would look into that matter.

**Commissioner Holt, District 4**  
**Ordinance Numbers**

Commissioner Holt asked about the mix-up in ordinance numbers and the reason for the correction. It was explained, due to inadvertence, duplicate numbers were issued and this was to correct the matter and give the correct numbers on the record.

**Citizens Bill of Rights**

Regarding possibility of putting the Bill of Rights on the ballot, when research was done, she would like to see the State Statutes that match her opinions before she comes to meeting.

**Attorney Billing**

She also would like to see what the attorney's billing is per month from now until December and asked to have the information emailed to her.

**Commissioner Morgan, District 3**

Commissioner Morgan said he had nothing to report.

**Commissioner Hinson, Vice Chairman, District 1**

Commissioner Hinson asked if Mr. Presnell was able to get the costs for the EMS personnel for the Havana/Midway ambulance.

Mr. Presnell informed him it takes 6 EMT's to cover a 24 hour shift and, with salary and incidentals, would cost approximately \$252,000 and added they would not have to buy a truck, they would rotate a spare truck in.

*Commissioner Holt stepped out at this juncture of the meeting.*

**Commissioner Doug Croley, Chairman, District 2**

**Rural County Summit**

Chair Croley said he and Mr. Presnell attended the Summit and it was a very good conference.

**RECEIPT AND FILE**

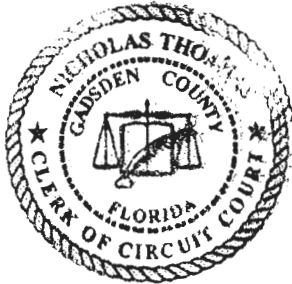
19. June 14, 2013 Letter from Florida Department of Health (EMS Matching Grant)
20. Gadsden County Chamber of Commerce Economic Development Report (June 2013)
21. Gadsden County Chamber of Commerce Small Business Service Center Activity Report (April-June 2013)

**August Meeting(s)**

- August 1, 2013 (Budget Workshop at 4:00 p.m.)
- August 6, 2013 (Regular Meeting at 6:00 p.m.)
- August 20, 2013 (Regular Meeting)


**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 9:20 P.M.



ATTEST:

  
DOUGLAS M. CROLEY, Chair

  
MARCELLA BLOCKER, Deputy Clerk for  
NICHOLAS THOMAS, CLERK

**AT A BUDGET WORKSHOP OF THE BOARD OF  
COUNTY COMMISSIONERS HELD IN AND FOR  
GADSDEN COUNTY, FLORIDA ON AUGUST 1, 2013,  
AT 4:00 P.M., THE FOLLOWING PROCEEDINGS  
WERE HAD, VIZ:**

Present: Doug Croley, Chair-District 5  
Eric Hinson, Vice-Chair-District 1  
Gene Morgan, District 3  
Brenda Holt, District 4  
Sherrie Taylor, District 5 (arrived late)  
Jeff Price, Budget Director  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
Deborah Minnis  
Marcella Blocker, Deputy Clerk

**\*\*\*NOTE\*\*\****There were technical difficulties with the recording video equipment for this meeting.*

**INTRODUCTION BY COUNTY ADMINISTRATOR**

Chair Croley called the meeting called to order at 4:00 p.m.

Mr. Presnell outlined the budget process and stated staff had reviewed the different line items and was glad they had because of the increases in FRS (Florida Retirement System) and the costs of medical insurance. He also explained the decrease in revenues with fuel tax, but added the property tax revenues leveled off.

Chair Croley reminded everyone this was a workshop and that no decisions would be made at this workshop.

**FY14 BUDGET OVERVIEW**

Jeff Price went over the revenues and explained the ad valorem taxes had leveled off. He added the gas taxes had declined and there were increases expected from the State for libraries and mosquito control and they were looking to use approximately \$150,000 from Ordinance # 74-1 as matching funds for fire trucks.

**FRS Rates**

Mr. Price explained there were increased rates from the State regarding the retirement system, some of the rates increased by 23%.

**Health Insurance**

Mr. Lawson said the County was facing a 6% rate increase if they stayed with the same prescription drug program and same benefit plan and there would be a rate increase of \$102,000. He added the insurance committee had recommended to the Administrator to maintain the current percentage breakdown that the Board was currently paying and the employees' share would increase slightly as

well so both sides would share in the increase. He added they had looked at additional quotes from Blue Cross and Blue Shield but they were not as favorable as the quotes from Capital Health Plan and it was recommended to stay with CHP and share the increase with the employees.

*Commissioner Taylor arrived at this juncture of the meeting.*

Commissioner Morgan asked how the employees were currently participating in the insurance costs.

Mr. Lawson explained that if they maintained the same percentage breakdown that they currently have, the Board pays 85% for single coverage, 70% for both single and spouse and single and dependents and 85% for family coverage.

Commissioner Holt stated she would like to see the quotes given by Blue Cross and Blue Shield and stated if an employee was making minimum wage, which could pose a hardship.

Chair Croley asked what would happen if, like much of the private sector, the County paid 100% of employee costs only, how would that impact the County.

Mr. Lawson said if the County paid 100% of the employee costs, there would be a savings of \$213,533.76 to the County.

Mr. Al Lawson appeared before the Board and explained the rates and the differences in the program with Florida Blue (formerly Blue Cross and Blue Shield) and CHP.

The Commissioners asked questions and had more discussion regarding rates and the program.

Mr. Al Lawson offered to review the insurance coverage individually with the employees, as he found in doing so with the School Board employees, he was able to save them from having things on their plan that they would not need and thence would increase their salary.

**Debra Sisk, Major Account Manager with CHP,** appeared before the Board to answer questions.

Chair Croley asked if there was anything that had not been done that could be done to reduce the costs.

Ms. Sisk answered “No”.

Mr. Presnell asked if an employee wellness program would help to reduce the rates.

Ms. Sisk responded that Leon County had a Wellness Coordinator and was currently researching that.

#### **Employee Compensation**

Mr. Presnell mentioned the different options and said at the previous budget workshop, there were a couple of ideas bounced around, but the consensus at that time was a \$1,000 bonus to all employees and added in doing that, the costs to the County would be \$220,000. Three options were presented to the Board:

- \$1,000 bonus to all employees at an estimated cost of \$220,000;
- 3% raise to all employees at an estimated cost of \$207,000; and
- 4% raise for employees earning less than \$30,000 and 2% raise for all others with an estimated cost of \$185,000.

There was discussion among the Board.

Chair Croley asked if the figures included all FICA, social security, etc.

Mr. Lawson stated the last time there was an increase was in 2011 and prior to that was 2008.

Mr. Presnell said he preferred option 3.

Commissioner Morgan stated because a dollar is budgeted did not mean it had to be spent.

Commissioner Holt said she had no problem in giving incentives, but there needed to be tight guidelines.

Chair Croley asked if there was a consensus that they know number 3 could be easily accepted.

Commissioner Taylor said she agreed to incentives, but it was only to be used if it was attached to a cost saving deal.

#### **Expenditures**

Jeff Price explained the different expenditures that have been placed in the budget:

- \$448,000 for community organizations-an increase of approximately \$97,000;
- \$36,000 for Quincy Shuttle and \$51,000 for Gadsden Express for an expanded route;
- \$75,000 for summer jobs program in the HR budget;
- \$50,000 for Code Enforcement to clean up items;
- \$750,000 for Medicaid-reduced by \$186,000;
- \$60,000 for cell tower consultant for the Property Appraiser;
- \$48,000 for Friendship Park improvements;
- \$50,000 for the Reserve for the Contingency account;
- \$1,000 bonus for each employee-nearly \$220,000;
- FRS rate increases of nearly \$300,000;
- Medical insurance estimated increase of 6%-BOCC share is approximately \$100,000; and
- \$455,000 Constitutional Officers increase.

Mr. Presnell informed the Board that this was items that were currently included in the budget and asked if anyone had any questions.

Chair Croley asked about the \$97,000 increase of Not for Profit groups and reminded everyone the need to be fiscally conservative and added there was ad valorem tax money, property tax money and fuel tax money and there was a “tin cup”, there might be some grant money and state revenue sharing added to it, but that was the only revenue there currently was.

Mr. Presnell clarified that there were other items that included economic development.

**Capital Outlay**

Mr. Price said that currently there was \$400,000 re-appropriated for jail needs.

Mr. Presnell interjected that bids were opened for the jail locks and the low bid was \$480,000 and the high bid was approximately \$700,000 and he would need to find additional monies to fund the jail locks request.

Mr. Price continued and stated in the General Fund, the following had been budgeted:

- Chiller for the Hospital-\$131,000;
- water heater \$30,000 and repair the radio tower \$35,000 for the Jail;
- van for Veteran's Services-\$24,000;
- incinerator for Animal Control \$36,000;
- cardiac monitors for EMS; and
- fire trucks \$150,000 and hydrants \$35,000 for Fire Control.

Mr. Presnell added that the \$150,000 for the fire trucks was the required match for the grants for the fire trucks.

Chair Croley asked for \$20,000 for park improvements and match money and added that he had received a call from the Governor's Office and the County might be able to acquire a lease arrangement of 300 acres from BASF that would serve as an off-road trail type park for the Havana area and there might be a need to have money available for signs, etc.

There was more discussion among the Board.

Commissioner Morgan stated that precautions were needed to ensure the reserves were not used up.

Chair Croley added that the Board had achieved the level of the cash balance that the auditors had recommended.

Clerk Thomas said they were at the level he had suggested; the auditors wanted the cash balance to be at \$8 Million.

Chair Croley added with that level being achieved, they could utilize a little more money than they had in the past from the revenues coming in, even though they may be down.

Commissioner Morgan asked what revenues were trending and what expenses were trending for the next 3-5 years.

Clerk Thomas said gas tax revenue was down or was flat, as was property tax, there was not a lot more revenue as was mentioned earlier and the operating costs were covered within the budget without using the fund balance.

Commissioner Morgan said the Board had done well so far, but it was more important to move forward because increases could come on fast. There could be tremendous costs with retirement



and Medicaid.

Mr. Presnell said this was a good safe budget that took care of the needs of the employees and the citizens.

Commissioner Morgan said we had been blessed on how efficient the tax appraiser and collector have run their offices.

#### **Constitutional Officers**

Mr. Price said a lot of the increases for the constitutional officers were FRS related.

Mr. Presnell commented that all FRS increases were covered in the budget.

Clerk Thomas commented on how appreciative he was of their efforts in restoring the Clerk's Office to the level of being able to operate efficiently and provide a better level of service.

Commissioner Hinson stated for the record, he was 100% in support of the Clerk and wanted to continue his support to help him grow and to be able to make him successful.

Commissioner Taylor asked about the increase in the constitutional officers, if the entire amount was for FRS.

Mr. Presnell said other than the cell tower consultant for the property appraiser and the position in the finance department for the Clerk, everything else was FRS and health insurance related.

Commissioner Taylor asked questions concerning the different line items in the budget. She used for example the budget for Supervisor of Elections and stated their budget was the same amount as it had been during the presidential election but she didn't see the need for that much this year and it concerned her that the level of the budget did not differ.

Commissioner Holt stated that every so often there was a need to go through the budget line by line to see what was needed and what might be able to be cut.

Commissioner Taylor asked Mr. Presnell for a break-down of the different constitutional officers' budget requests so the commissioners would know what amounts were for FRS and insurance and what amounts were for other requested items.

Chair Croley commented that the Florida Retirement System and the health insurance was the biggest reason for the increase in the budget.

#### **Other Government and Community Organizations**

Mr. Price explained what was funded last year and what was requested by the agencies and what was recommended.

Chair Croley said there was a Speaker Appearance Form from Recie Culpepper and called her forward.

**Recie Culpepper, representing Alzheimer's Project, Inc., 682 Timber Run, Havana, FL, appeared**

before the Board and thanked the Board for allowing her to speak and stated she was present to request \$5,000 and asked that the Board continue to fund additional days of respite for Alzheimer's clients in Quincy. She explained that the respite program would allow caregivers to be able to run errands, etc. while being assured the client is being looked after.

Commissioner Hinson stated he had intended to contact someone along with the Sheriff's Department because of a need for such a program in this area.

Ms. Culpepper informed the Board they had tried working with the Pilot Club of Quincy along with the Gadsden County Sheriff's Department in trying to launch Project Lifesaver for Alzheimer's patients in the Gadsden County area. She further added in speaking with Major Wood, he told her the Sheriff Department's costs was approximately \$50,000 to locate one lost individual and with their transmitter bracelets, an individual could be located within 30-45 minutes and help reduce the expense.

*Commissioner Morgan stepped out at this juncture of the meeting.*

*Commissioner Holt stepped out at this juncture of the meeting.*

*Commissioner Morgan returned at this juncture of the meeting.*

*Commissioner Holt returned at this juncture of the meeting.*

Chair Croley called Mary Dekle to come forward.

**Mary Dekle, Legal Services of North Florida, 121 North Jackson Street, Quincy, FL**, appeared before the Board and explained some of the economic impact they have made on the community within the past year. She explained that in the past year they had represented 494 Gadsden County households in the area of civil legal assistance issues that included landlord-tenant, foreclosure defense, consumer fraud, domestic violence, sexual assault, and elder abuse. She explained that during the last year they had received \$27,364.08 in annual child support for people in Gadsden County, \$30,174 in annual disability benefits, \$96,654 in reduced tax liability and \$17,961.24 in tax refunds for a total of \$172,153.32 for the year. She added if you took the annual benefits that had been gotten for people and conservatively extract 10 years for child support and disability benefits for 20 years, there was a grand total of \$991,835 in revenue generated for the people of Gadsden County in one year alone; add to that salaries of 8 people working in their office and along with the mortgage on the historic building they purchased, maintenance, utilities and regular expenses, the impact of Legal Services in Gadsden County is conservatively \$1 Million a year. She added that they were a job creator, an economic boom for the community and that they also save lives, keep residents in their homes and create hope for those without a future. She further added that last year Legal Services provided \$253,963 in legal representation for the people of Gadsden County. She thanked the Commission for their support and asked that they look at the full \$20,000 that had been requested.

**Juanita Ross, Program Director, Big Bend Habitat for Humanity, 2921 Roberts Avenue**, appeared before the Board and said she was here in case anyone had questions. She added that they were requesting funds in the amount of \$11,000 and while she was a grant writer, some of their projects like to see matching funds to go along with their projects.

Commissioner Hinson stated in looking at the Gadsden County Health Department, they had provided a strong service in the County and thought they needed to be more aggressive. *Commissioner Taylor stepped out at this juncture of the meeting.*

Commissioner Hinson stated he would like to increase the amount to \$150,000.

Mr. Presnell stated that they are funded in another line item with the Indigent Health Tax that is transferred to the Health Council.

*Commissioner Taylor returned at this juncture of the meeting.*

Commissioner Morgan asked what the requirements were for reporting from the different non-profit organizations.

Mr. Presnell responded they were to file reports quarterly.

Commissioner Morgan stated that the Boys and Girls Club received \$150,000 (\$75,000 for each club in Gadsden County) and said that was a lot of money. He asked about the Havana Senior Center and asked if this was a new operation?

Mr. Presnell stated he went there and they showed him around and they have been there for a long time. He added in researching them, the County had funded them for a few years in the past.

Commissioner Morgan asked if there were any other senior centers located in Gadsden County and Commissioner Holt said there was one located in Gretna.

Commissioner Morgan asked why do for one and not do for the rest of the senior centers that are active in the community. He added he was aware there was an active center in Chattahoochee and they were not receiving any funds from them.

He asked if Redeemed, Inc. was still being funded through the Sheriff's budget.

Mr. Presnell said he knew she was getting grants, that some were on their agenda and added she was still getting the funds that she had received in the past.

Commissioner Taylor said she appreciated looking at the County as a whole and trying to keep services fair and equal across the County and as far as Redeemed, Inc., just as with any other grant, they were restricted to providing certain services and added she thought she was asking for assistance with families who have family members who are incarcerated, in addition to working with those families who are incarcerated. With the Organization of Learning and Human Development, that is another program that has been out there for almost 30 years. They have been doing community awareness bringing activities to the community and she hoped that they could consider putting in some money for them.

Commissioner Holt stated she had a couple of concerns and asked what kind of time frame were they looking at and what was needed?

Mr. Presnell said the budget needed to be finalized by September 10<sup>th</sup>.

Commissioner Holt asked about economic development and said they needed to consider increasing that and needed to look at how to entice businesses.

Mr. Presnell said at this point and time, the budget was balanced and they were looking at \$100,000 that would have to be found, cut something else, to be fund balanced. He added that the total budget for this year was \$4,663,420.

Commissioner Taylor asked if they could find \$1,500 each for Redeemed, Inc. and the Organization of Learning and Human Development.

Chair Croley said everyone was coming up with new areas of interest they would like to see funded and there had been a proposal that was refused and they needed to consider ways to save money and one was for the privatization of probation that would save approximately \$150,000. He asked that they reconsider.

Commissioner Taylor asked how practical was it when it would put 3 to 5 people out of work and then there would be their salaries plus benefits that would be gone and now lost revenue for the County because of the unemployment plus then having to pay Medicaid, indigent care for them, that was not practical.

Commissioner Holt said they needed to look at increasing Economic Development for the Council, not for the Chamber, there needed to be some marketing money there and would like \$20,000.

Commissioner Taylor asked if the Economic Council had agreed to buy into the program.

Mr. Presnell said there had been a meeting Tuesday and all the managers were committed to putting money in and also said everyone uses Jackson County as a model and they are at \$300,000/year.

Commissioner Morgan said when looking at Jackson County, it needed to be understood that they were willing to do more than we were and said that we needed to target specific entities and particular businesses that we would want to come to Gadsden County and we needed to be in a position to have something to offer to the businesses. He added that the thing that Jackson County has done well was to put themselves in a position now, but when they originally did that, they took a pretty severe hit with some of their tax abatement deals they had put together and they are still losing money on. Their BOCC was more easily approachable to do business with than ours and that is what we need to change in Gadsden County. He added that you not only have to look at what they chose to fund for economic development, you have to look at what they chose to NOT fund, they have more dirt roads than we do because they haven't chosen to invest in asphalt like we did years ago.

Chair Croley said one thing that everyone needed to appreciate, if you go into the U.S. Census and look at the 2012 economic data, you might be interested to learn, that we keep putting down Gadsden County, there might be certain segments of the population that might be unemployed but you have to look at if they are employable. He added if you start pulling up the interactive maps and pull up the North Florida and South Georgia counties, you start finding out that Gadsden

County's non-governmental payroll is higher than Jackson County. He further added that while we were smaller than Leon County, we were stronger than Wakulla, Madison or Jefferson County.

Commissioner Holt said one thing Jackson County did was planned well, they changed zoning.

### **Capital Outlay and Projects**

Mr. Presnell said most of the Capital Outlay and projects were Board related projects and had to do with road projects and they were all resurfacing issues.

The list is as follows:

- Lake Yvette East \$290,000
- Lake Yvette West Road \$129,000
- Drake Acres Road \$153,000
- River Landing Road (Main) \$197,000
- River Landing Road (Secondary) \$126,000
- David Thomas Lane \$40,000
- M & M Lane \$27,000
- Cora Lewis Court \$13,000
- Willow Court \$2,000
- Mowers and tractors \$370,000 plus 4 staff \$110,000 = \$480,000
- Stripping of existing roads \$100,000

Chair Croley asked if he had any recommendations on the list.

Mr. Presnell said everyone knew the fund balance and they had to use \$400,000 to balance out the public works budget with no capital and that left them with \$1,107,000 in transportation reserves. He added if the Board could see it to spend maybe half of that amount; they would be in good shape.

Chair Croley asked what projects could be done for around \$600,000 and then mentioned cutting Lake Yvette East, River Landing secondary road and the mowers.

Commissioner Morgan encouraged them before making a decision and prioritizing which River Road to resurface, to discuss the matter with Chattahoochee's City Manager and the Board and get their input regarding same.

Commissioner Hinson asked that they look into the difference between lease and purchase of more tractors and if there would be any savings.

Mr. Presnell explained that on heavy equipment, there was not that much savings and there were hour restrictions on leased items and they could get into trouble with too many hours on the tractors.

Commissioner Taylor stated that concerning Lake Yvette, look into which side needed resurfacing more and regarding the tractors, she never agreed to spending that kind of money, they needed to look into other options and give privatization of mowing in one district a chance to see how well it worked. She also added that she appreciated the fact that the list included roads county-wide from

each district.

*Commissioner Morgan stepped out at this juncture of the meeting.*

*Commissioner Morgan returned.*

Commissioner Holt asked what they were doing for the jail; she thought it was the chiller.

Mr. Presnell explained that the low bid for the locks came in higher than they anticipated. He explained that they needed funds for the roof of the Sheriff's building and for a chiller and if it was one over the other, he had to take the roof. He said they had been looking for other facilities to move them to and if they decide to fix the roof, they would need to get the building from TCC.

Commissioner Morgan asked if he was asking the County to take ownership of the building and Mr. Presnell stated he was if they were going to put \$300,000-400,000 into it, but added if the Board chose not to take ownership of the building, they could still put a roof on it.

Commissioner Hinson said if that was the route, he would prefer to own it and suggested they should team up with the City and ask that they send a letter to TCC and the Superintendent that the County would like to own the building and have them transfer ownership of the building to us.

Mr. Presnell said if they chose to do one, the roof needed the attention because of mildew and mold issues and he needed the consensus of the Board to budget for the roof.

Commissioner Morgan asked if TCC had been made aware of problems with the building.

Mr. Collins stepped to the podium and informed the Board he had told them repeatedly about problems with the building and they had not offered to make any repairs. He added the County rented the building for \$1.00/year and TCC had no interest to do any maintenance.

Mr. Presnell said there were a number of other problems that needed to be addressed but they could handle those.

Chair Croley asked for a consensus to budget at this time for the repairs to the roof.

Commissioner Taylor asked for clarity if they were asking to take ownership back before they invest any money or if they were budgeting for the roof.

Chair Croley said they were asking to budget for the roof at this time.

Mr. Collins said the building had been remodeled once and eventually would need to be remodeled again and if they kept the building, there was a lot of space that could be utilized because the rooms were big.

Chair Croley said for the time being, to allow the Administrator to add the roof and chiller to the budget and then they would be in a position to do what was needed to be done.

Chair Croley stated the next item was budgeting for an ambulance crew to be placed in Midway.

**Tommy Baker, EMS Director**, appeared before the Board and informed them that approximately 85% of their calls were in the central area of the County and they have 2 ambulances based in Quincy and one located at the hospital, one in Havana, and one in Chattahoochee.

Chair Croley asked if a study had been done as to where stations needed to be in order to give the most effective service to the citizens.

Commissioner Hinson said most people in his district do not call the ambulance because the response time was too long; they go straight to the hospital in Tallahassee. He added there was \$5.1 Million in reserve and that needed to be used to save lives.

Chair Croley said he was not saying he didn't support this; he just wanted to explain where the needs were at to better serve the citizens.

Commissioner Holt stated she was not debating the issue with him, but the ambulance will go to nearest appropriate facility, it might be Tallahassee or it might be Quincy.

Chair Croley stated this was not a done deal, but a work in process for the budget and they needed to hear more information from EMS regarding the right way to handle the matter. Then when they have the next workshop, they should have direction.

Commissioner Morgan asked if the \$350,000 would be an additional annual cost and not a one-time expenditure and added that he had no problem in filling the need. He asked if they had taken the time to look into different ways to fulfill the need, were there any other options and that a lot of people had to learn to do things different from how it had been done in the past.

Mr. Presnell asked Mr. Baker to explain the total call run for the county.

Mr. Baker said they have 5 units on duty, they are running 23 calls a day on average, but he added the problem with saying "on average" was one day it might be 10, the next day be 40 calls. He further stated if a call came in from Chattahoochee and had to make a run to Tallahassee and back puts them out of service for 3½ hours, one call could put them out at least 1½ to 3½ hours, and that was significant and regardless of where the other unit goes, there was a need for another unit. He said they try to figure out the logistics all day long, who needs to go where, who needs to go to Tallahassee, who needs to go on the helicopter, who's coming back from Tallahassee. He added there was a supervisor on duty that delegates all of that throughout the day.

Chair Croley said it was information like that they needed to hear so they would know what the needs were.

Commissioner Morgan asked how many calls were necessary versus the ones that were not and Mr. Baker answered there was about 28-30% that was dry runs where no-one was transported to a facility.

Commissioner Taylor asked why six full time and 2 part time positions were needed.

Mr. Baker responded that there were always 2 people to staff an ambulance, an EMT and

paramedic on duty and there were 3 shifts.

Commissioner Taylor asked if there was currently an ambulance located in Midway or where it would come from.

Commissioner Taylor asked if there were costs to stock the ambulance with inventory, was insurance included in the amount

Mr. Baker said the County currently owns 10 ambulances, they were using 5 on a daily basis and they had 5 in reserve and they would use one of the reserves that was stocked and insured and the initial proposal was for it to be housed at the fire station in Midway.

Commissioner Taylor said she knew the need was there, but her concerns were how and where to find the funding year after year and they needed to look at the details.

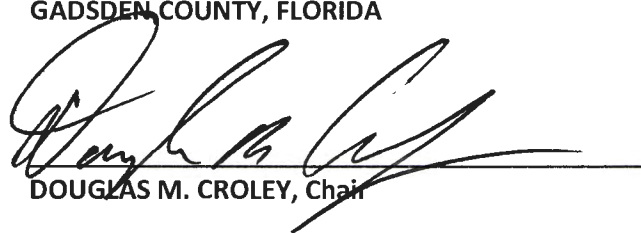
Mr. Presnell said he needed clarification on the Senior Citizens Center and did the Commissioners want to continue the next workshop on August 22<sup>nd</sup>.

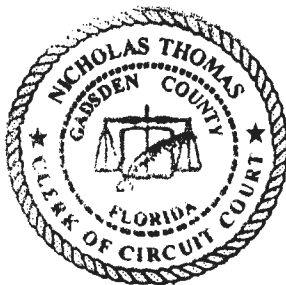
Commissioner Morgan said it was his opinion you couldn't fund one without funding the other, if there was \$15,000, share it between all of the centers.

**ADJOURNMENT**


**THERE BEING NO OTHER ISSUES TO COME BEFORE THE BOARD, CHAIR CROLEY ADJOURNED THE WORKSHOP AT 7:01 P.M.**

GADSDEN COUNTY, FLORIDA

  
DOUGLAS M. CROLEY, Chair



ATTEST:

  
Marcella Blocker, Deputy Clerk for  
NICHOLAS THOMAS, CLERK



**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON AUGUST 6, 2013, AT 6:00 P.M.,  
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

Present: Doug Croley-District 2, Chairman  
Eric Hinson- District 1, Vice-Chair  
Gene Morgan-District 3  
Brenda Holt-District 4  
Sherrie Taylor-District 5  
Nicholas Thomas, Clerk of Court  
Deborah Minnis, County Attorney (arrived late)  
Robert Presnell, County Administrator  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to Order at 6:00 p.m. and asked that all cell phones be silenced. He then asked everyone to stand for the prayer and the pledge of allegiance to the U.S. Flag. A silent roll call was done by Deputy Clerk, Marcella Blocker.

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Croley asked if there were any corrections or amendments to the Agenda.

Mr. Presnell added 1a under Presentations and said Item 10 under Public Hearings would be pulled.

**A MOTION WAS MADE BY COMMISSIONER MORGAN AND SECONDED BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE ADDING THE PRESENTATION OF THE GOLDEN KNIGHTS AS 1a AND THE DELETION OF ITEM 10 TO THE AGENDA.**

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Gadsden County 4-H Saddle Club Recognition of State 4-H Horse Show Participants**

(Dr. Henry Grant, County Extension Director)

**Elva Peppers, 4-H Saddle Club Volunteer Leader** and some of the participants who recently competed in the State horse show competition appeared before the Board and shared their accomplishments and then presented a plaque to the County.

**1a WILLIAM W. FRANCIS, Golden Knights Motorcycle Club**, a non-profit community organization, appeared before the Board to inform them of an upcoming Weekend Motorcycle Charity Event to be held on August 16 & 17<sup>th</sup>, 2013, and stated a portion of the proceeds would be donated to the Refuge House. He added they were interested in being a positive influence for Gadsden County.

**1b Melody J. Selis, Governor Rick Scott's Regional Representative**, appeared before the Board to

introduce herself and explain she was the liaison with the Governor's Office and stated she would be happy to meet with anyone at any time and was available to help with whatever was needed for the County.

#### **CLERK OF COURTS**

#### **2. COUNTY FINANCE AND COUNTY CLERK ISSUES**

There were no items presented.

#### **CONSENT**

Commissioner Hinson asked to pull Item 9 for discussion.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS AMENDED. (Items 3-8).**

#### **3. Approval of Minutes**

- July 2, 2013 Regular Meeting
- July 16, 2013 Regular Meeting

#### **4. Ratification of Approval to Pay County Bills**

#### **5. Approval of eGov Strategies to Redesign the County's Website**

This agenda item seeks approval of a professional services agreement with eGov Strategies to redesign the County's website.

#### **6. Approval of Resolution 2013-014 in Support of the Allocation of Adequate Funding from the 2013 Legislative Appropriation to the Riparian County Stakeholder Coalition (RCSC)**

This item is in support of the allocation of adequate funding from the 2013 Legislative Appropriation to the Riparian County Stakeholder Coalition (RCSC) for the preparation on an Apalachicola River and Bay Flow Needs Assessment for inclusion in the Apalachicola-Chattahoochee-Flint Stakeholders' Sustainable Water Management Plan and authorizes the Chairman to sign.

#### **7. Approval of the Revised Volunteer Fire Department Interlocal Fire and Rescue Service Agreements**

This item is for approval of the revised Interlocal Fire and Rescue Service Agreements between the County and Concord, Chattahoochee, Greensboro, Gretna, Havana, Midway, Mt. Pleasant, Robertsville/St. Johns, Sycamore, and Wetumpka Volunteer Fire Departments.

#### **8. Approval of the State Housing Initiative Partnership (SHIP) Annual Report and Authorization for BOCC Chairman to Execute**

This item seeks BOCC to approval and execution of the State Initiative Partnership (SHIP) Annual Report.

#### **9. ~~Approval to Pursue Option for Securing a New EMS Facility~~ Item pulled for discussion.**

#### **ITEMS PULLED FOR DISCUSSION**

#### **9. Approval to Pursue Option for Securing a New EMS Facility**

Mr. Presnell stated this item was for approval to pursue the option of pursuing a grant for the purchase of a new facility for EMS.

Commissioner Hinson stated he had no problem in pursuing a grant to be able to purchase the building.

Mr. Presnell explained the facility was the old Thomas Motor Cars building, the bank had had the building for some time, the price has been reduced and Staff would like to pursue a CDBG grant for the purchase. He added that Capital City Bank would also assist in the grant and there would be no out-of-pocket costs to the County.

Commissioner Holt asked about the location of the building and why they were looking at that building and no other.

Mr. Presnell stated in talking with Tommy Baker, the location of the facility needed to be on Highway 90 and added this item was to allow staff to apply for the funds, but there was no guarantee the funds would be granted.

**UPON MOTION OF COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN,  
BEFORE THE VOTE, THERE WAS DISCUSSION.**

Commissioner Morgan asked if the grant was approved, would the funds be specifically for the building or could it be used for the hospital.

Mr. Presnell said it could only be used for that facility.

Commissioner Holt asked if applying for the CDBG grant, would that stop the Board from applying for other CDBG grants.

Mr. Presnell answered there could only be two CDBG grants open at one time.

*Commissioner Taylor stepped out at this juncture of the meeting.*

*Commissioner Taylor returned at this juncture of the meeting.*

**THE BOARD VOTED 5-0 BY VOICE VOTE TO ALLOW STAFF TO LOOK INTO THE PURCHASE OF THE FACILITY.**

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

**Teran Smith, 3185 Atwater Road, Chattahoochee, FL**, appeared before the Board and asked the procedures and policies regarding code enforcement and added that he had a problem with abandoned vehicles around his property. Chair Croley asked him to speak with Clyde Collins and that Mr. Collins could direct him on how to file a code enforcement complaint.

**Jerry Range, PO Box 914, Midway, FL, Golden Knights**, appeared before the Board and wanted to extend a special thank you to Commissioner Taylor and Commissioner Hinson for their

contributions with the back-to-school giveaway that had recently been held.

*Mrs. Minnis appeared at this juncture of the meeting.*

#### **PUBLIC HEARINGS**

**10. CONSIDERATION OF RESOLUTION 2013-013 TO NAME AN UN-NAMED CREEK "LEWIS CREEK" AS REQUESTED BY LEWIS A. WARD AND AS REQUIRED BY THE U.S. BOARD OF GEOGRAPHIC NAMES**

This item was pulled.

#### **GENERAL BUSINESS**

**11. PRIVATIZATION OF MOWING SERVICES PILOT PROJECT-DISTRICT 5**

Mr. Presnell introduced the above item and stated this was for privatization of mowing services for District 5.

Chair Croley asked if the Administrator knew what the state rate per acre was.

Mr. Presnell stated he did not know the rate.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**12. APPROVAL FOR THE GADSDEN COUNTY SHERIFF'S OFFICE EMERGENCY MANAGEMENT DEPARTMENT TO APPLY FOR FEDERAL GRANT #14-FG- -02-30-01-087 AND THE STATE PORTION OF THE EMERGENCY MANAGEMENT PERFORMANCE GRANT #14-BG- -02-30-01-020.**

Mr. Presnell introduced the above item and stated this was for approval of the Emergency Management Department to apply for Federal and State portion of a grant.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

Shawn Wood appeared before the Board for any questions.

Commissioner Hinson asked about Rustling Pines and there being only one way in and one way out of the subdivision.

Major Wood stated that would fall under the Safety Council.

#### **COUNTY ADMINISTRATOR**

**13. UPDATE ON BOARD REQUESTS**

Mr. Presnell introduced Olivia Smith, Special Projects Coordinator and added that she would be handling the county's new website and would also be the public information officer.

#### **COUNTY ATTORNEY**

**14. UPDATE ON VARIOUS LEGAL ISSUES**

Mrs. Minnis apologized for her tardiness.

For the record, Chair Croley asked if her presence was required for the start of the board meeting.

Mrs. Minnis said the only requirement was there had to be a quorum of commissioners.

**DISCUSSION ITEMS BY COMMISSIONERS**

**15.**

**COMMISSIONER TAYLOR, District 5**

Commissioner Taylor had questions concerning PACE and stated the City of Quincy had denied both the residential and commercial lending and asked what impact that would have with people living inside the City limits.

Chair Croley reminded them that Gadsden County was a constitutional county and the County ordinances only applied in the unincorporated areas.

Mrs. Minnis added that along with the Ordinances, the agreements entered into were just for the areas under their control.

Chair Croley asked the Administrator and the Attorney to contact the City of Quincy and explain that to them.

She stated the school district was hosting their annual back-to-school give-away at Shanks and Havana Middle from 10:00-2:00 p.m. on Saturday, August 10<sup>th</sup>.

**COMMISSIONER HOLT, District 4**

Commissioner Holt stated she gets worried when there were no public hearings on the agenda because that means there is no economic development.

**COMMISSIONER MORGAN, District 3**

Commissioner Morgan informed the Board that Mrs. Patricia Vice, who served on the Tourist Development Council and had been very active in the County, had passed away and mentioned her many contributions to the County and asked the Board to consider recognizing her services in the form of a Resolution to be presented to her family at a future date .

**MOWING**

In looking at the mowing project, he wanted to reiterate to look at ways to make this work.

**Budget**

He commended the Administrator on how well the budget workshop was handled.

**4-H Club**

He added everyone should be proud of the accomplishments of the 4-H Club.

**Schools**

He also mentioned the improvements of the grades the schools had received and thought it should be recognized by the Board. Mr. Presnell said they would be at the next Board meeting.

**COMMISSIONER HINSON, Vice Chairman, District 1**

Commissioner Hinson stated the last year he was on the school board, East Gadsden made a “C”.

**COMMISSIONER CROLEY, Chairman, District 2**

Chair Croley mentioned that a former County Commissioner, Ralph Perkins, passed away this week and he had previously served a 5 year term as a County Commissioner.

**National Association of Counties**

He reported on the National Association of Counties convention that he and Commissioner Hinson attended in Fort Worth, TX and said there was a good presence from Florida there. He also reported that they had visited a large trade show and one interest was economic development and they had an opportunity to meet with the National Association of Railroads.

**Jacksonville Port**

Commissioner Holt asked if the CSX Representative mentioned anything concerning the status of the port in Jacksonville.

**Privatization of Probation**

Chair Croley stated they had just voted unanimously for the privatization of mowing for District 5 and asked them to reconsider the position taken on privatization of probation at a recent meeting by allowing the Administrator to solicit bids for that service to allow them to make an intelligent and informed decision. He added that to say no to something that would save the taxpayers \$140,000 did not seem to be a rational action. He then made a motion to revisit the matter and have it placed on the next agenda.

Commissioner Taylor stated she had a Robert’s Rules of Order question and asked since he was not on the prevailing side of the vote, was he correct in bringing this back again. He conceded and asked her to make the motion. She stated if it were not for the fact that people would lose their jobs, she would have no problem in making that motion. He added if she was not able to make that motion, he hoped one of the other commissioners would consider making that motion.

Commissioner Hinson stated with the privatization of the mowing, no-one would lose their job, but with probation, there would be jobs lost.

Chair Croley stated he was simply asking for the opportunity to hear proposals and allow the Administrator to take bids.

**RECEIPT AND FILE**

**16.**

- A. Gadsden County Chamber of Commerce AMENDED Economic Development Report (June 2013)
- B. July 16, 2013 Letter from City of Quincy Fire Chief (Review of the Spray Quimica Project)
- C. July 16, 2013 Letter from Florida Department of Health (EMS County Grant Funds)
- D. July 18, 2013 Letter from FDLA (Increase in County JAG Funds/New Deadline)

Gadsden County Board of County Commissioners  
August 6, 2013 – Regular Meeting

- E. July 19, 2013 Letter from Florida Department of Health (Gadsden County Health  
Department Report of Activities and Expenditures for 10/1/12-06/30/13)

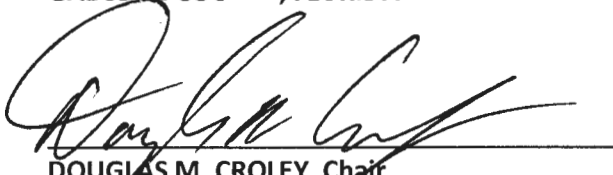
**AUGUST MEETING(S)**

- August 20, 2013 (Regular Meeting, 6:00 p.m.)
- August 22, 2013 (Budget Workshop, 4:00 p.m.)

**MOTION TO ADJOURN**

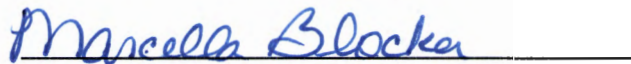
THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE  
MEETING ADJOURNED AT 7:10 P.M.

GADSDEN COUNTY, FLORIDA

  
DOUGLAS M. CROLEY, Chair  
Board of County Commissioners



ATTEST:

  
MARCELLA BLOCKER, Deputy Clerk for  
NICHOLAS THOMAS, CLERK

**AT A REGULAR MEETING OF THE BOARD OF  
COUNTY COMMISSIONERS HYELD IN AND FOR  
GADSDEN COUNTY, FLORIDA ON AUGUST 20,  
2013 AT 6:00 P.M., THE FOLLOWING  
PROCEEDINGS WERE HAD, VIZ:**

**Present:**        **Doug Croley-Chair, District 2**  
                     **Eric Hinson-Vice Chair, District 1 (arrived late)**  
                     **Gene Morgan, District 3**  
                     **Brenda Holt, District 4**  
                     **Sherrie Taylor, District 5**  
                     **Nicholas Thomas, Clerk of Courts**  
                     **Robert Presnell, County Administrator**  
                     **Deborah Minnis, County Attorney**  
                     **Marcella Blocker, Deputy Clerk**

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

The Chair reminded everyone to please silence all cell phones. He then called the meeting to order at 6:00 p.m. He asked everyone to stand for the prayer and the Pledge of Allegiance to the U.S. Flag. Deputy Clerk, Marcella Blocker, took a silent roll call.

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Croley asked if there were any amendments to the Agenda.

Mr. Presnell stated that Mr. Buddy Peddie of the Sheriff's Department asked that his item (Item 12) be pulled from the agenda.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD  
VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED. (ITEM 12 BEING REMOVED)**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Presentation of Resolution 2013-016 Honoring the Life of Patricia Elaine Fletcher Vice**

Mr. Presnell introduced the above item and stated it was a presentation of a Resolution honoring the life and the service of Mrs. Patricia Elaine Fletcher Vice. Chair Croley asked Commissioner Morgan to present the Resolution to the Family. The Resolution was read by Marcella Blocker and Commissioner Morgan then presented it to the family.

*Commissioner Hinson arrived at this juncture of the meeting.*

**2. Recognition of 2012-13 High Performing School Principals**

Mr. Presnell introduced the above item and stated this was in recognition of the "A" and "B" schools in Gadsden County. Chair Croley called Mr. Reginald James, Superintendent of Schools, forward and congratulated him on the success of the schools in the County. Plaques were then presented to the Principals or representatives of the schools. The schools being recognized were Stewart Street Elementary, Gretna Elementary, Gadsden Elementary Magnet School, Crossroad Academy Charter School, Chattahoochee Elementary School and Greensboro Elementary.



**3. Down & Dirty Motorcycle Club 4<sup>th</sup> Annual Family & Friends Day**

No-one was present regarding this item.

**CLERK OF COURTS**

**4. County Finance and County Clerk Issues**

Clerk Thomas stated in the packet there was a cash report that showed \$14,812,198.41 in the combined account and \$6.9 Million in General Funds, of which approximately \$5 Million was the General Fund Balance. He cautioned them that while this was a very good report, he would advise them to be careful. He added in looking at the current year and the 2014 Budget, they could project themselves to the 2015 budget and could see there might be some decisions they will need to consider to balance the budget then. Clerk Thomas gave accolades to the Board and the County Administrator and added that the Board had increased the general funds over the past 5 years, keeping ad valorem taxes at the same rate or lower and had made everything more efficient. He asked them to think a year in advance to enable him and the Finance Director to get an overview of where things stood with cash and said in the coming year, things would be reduced. He said that they would need to think about increasing the millage rate to balance the operating budget or using appropriating general fund balance, which is something that could not be done continuously, or cut back a little. He added in 2015 things would change and would be a little tighter for them.

Commissioner Taylor asked if the County was at \$5.3 Million at one time and Clerk Thomas stated yes but part of that money was restricted funds, that the \$4.9 Million could be used for any purpose.

Chair Croley asked if a Memorandum could be done to break down the figures to better help them understand the figures he gave them.

Commissioner Holt stated that no matter what, they had to look at economic development.

Commissioner Morgan said he appreciated the report and mentioned anyone could go on-line and get real-time figures. He added the economy was flat.

Chair Croley echoed his thanks for the Clerk presenting the report to the Board.

**CONSENT**

Commissioner Holt asked to pull Items 7 and 9.

Commissioner Morgan asked to pull Item 11.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS PRINTED. (ITEMS 5-6, 8 & 10)**

**5. Approval of Minutes**

**6. Ratification of Approval to Pay County Bills**

**7. ~~Approval to Award Bid Number 13-07 to Hodges Heating, Air Conditioning and Refrigeration to Provide HVAC Services for the County~~ ITEM PULLED FOR DISCUSSION**

8. **Approval to Award Bid Number 13-12 to Rudd's Pest Control of Greensboro for Pest Control Services**
9. **~~Approval to Award Bid Number 13-13 to Gulf Atlantic Culvert Company, Inc. for Asphalt Coated Culvert Pipes~~ Pulled for Discussion** ITEM PULLED FOR DISCUSSION
10. **Approval of the Mosquito Control Annual Certified Budget**
11. **~~Approval to Accept the FY 2013 Third Quarter Budget Status Report~~** Pulled for discussion
12. **~~Approval of New Road Names (Merganser Drive and Kingfisher Court)~~**  
ITEM PULLED

**ITEMS PULLED FOR DISCUSSION**

7. **Approval to Award Bid Number 13-07 to Hodges Heating, Air Conditioning and Refrigeration to Provide HVAC Services for the County**  
Commissioner Holt said she had discussed this item with the Manager and asked about hiring local people to help service the contracts and asked that the Board look at a point system to ensure hiring local contractors.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

9. **Approval to Award Bid Number 13-13 to Gulf Atlantic Culvert Company, Inc. for Asphalt Coated Culvert Pipes**  
Commissioner Holt echoed this was the same thing in hiring local people.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, BEFORE THE VOTE WAS TAKEN, COMMISSIONER TAYLOR HAD QUESTIONS.**

Commissioner Taylor asked Mr. Presnell if there was only one bidder for this item.

Mr. Presnell stated that historically they have two bids but only one had been received this time and he assumed the distance and hauling the pipe played a part in that.

Commissioner Taylor asked per the Board's policy, could they move forward with only one bid.

Mr. Presnell asked Mr. Lawson to come forward to answer the Commissioner's question.

Mr. Lawson appeared before the Board and stated yes.

**THE CHAIR CALLED FOR THE VOTE AND THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

11. **Approval to Accept the FY 2013 Third Quarter Budget Status Report**  
Commissioner Morgan had two comments; regarding the third quarter financials that they were

looking at, there was a 316% increase in debt service and a significant increase in capital projects of 183%.

Mr. Presnell asked Jeff Price to come forward to explain this item to the Board.

Mr. Jeff Price appeared before the Board and stated when the refinancing of the hospital loan was done, finance had to do a massive journal entry that caused the numbers to be that high and with capital projects, there were still some journal entries that need to be made for grants that were put in that are just now being done.

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

Clerk Thomas stated there should be budget amendments presented on the grants.

#### **CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

**Ed Allen, 268 Chinquapin Way, Quincy, FL**, appeared before the Board to speak on redistricting. He stated that under the Constitution of the State of Florida, Article VIII(e) stated "After each decennial census the board of county commissioners **shall** divide the County into districts of contiguous territory as nearly equal in population as practicable". He stated on April 16<sup>th</sup>, the Board failed to do their job by not redistricting. He added that the total sum of Gadsden County was 46,389 for an average population per district of 9,278 and District 1 was 16% over the recommended population and it goes to 9% under for District 4. He said the Board voted to not redistrict and he thought they needed to take another vote and be sure to do what the Constitution said to do.

#### **PUBLIC HEARINGS**

**13. Public Hearing (Quasi-Judicial) Gussie's Garden Inn Assisted Living Preliminary Site Plan (SP-2011-02) (Tax Parcel ID # 3-10-2N-4W-0000-00134-04000)**

A conceptual plan was filed in 2005 prior to the requirement of a Citizen's Bill of Rights. Therefore, the applicant's agent has asserted that a CBR meeting was not required. Bryan and Gwen Peacock-Kidd, of 18179 Blue Star Highway spoke at the Planning Commission meeting and had concerns over the addition traffic impacts and the need for a traffic signal at the intersection of US 90, W. Olean Street and Ben Bostick Road.

At the July 18<sup>th</sup> public hearing, the Planning Commission voted to approve the Gussie's Garden Inn Preliminary Site Plan with conditions based on the findings in the staff report and testimony presented at the public hearing.

Mr. Presnell stated this was for approval of preliminary site plan to allow the conversion of the existing warehouse facility into an assisted living facility.

Chair Croley asked if there was anyone who wished to speak for or against the matter and there was no-one.

Commissioner Holt said she had questions and asked that Mr. Harris and Jill Jeglie please come forward.

**Jill Jeglie, Planning and Community Development Director, and Mr. Charlie Harris, Jr., 2255 Luten Road, Quincy, FL,** stepped forward and were sworn in by the Deputy Clerk.

Commissioner Holt asked if he was willing to be in compliance with the required items from Planning and Zoning.

Mr. Harris stated he was.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

#### **GENERAL BUSINESS**

**14. Approval of Joint Economic Development Resolution 2013-015 with the Cities of Chattahoochee, Gretna, Midway and Quincy, the Towns of Greensboro and Havana, and Gadsden County**

Mr. Presnell said this was a Joint Resolution of all the Municipalities and the County to be on board to move forward with economic development.

Chair Croley asked if there were any questions.

Commissioner Taylor stated this was something that needed to have been done years ago and was a great start and asked if the other cities and towns would be adopting the same resolution.

Mr. Presnell stated yes, some already have adopted this.

Commissioner Holt stated that realtors was an intricate part of this as people would call them when they were looking to re-locate, etc. to the area and also she noticed that they met during the day and a lot of people that worked during the day may be interested in this and would not be able to attend meetings until the evening and hoped that they would consider some evening meetings to accommodate those people.

Commissioner Hinson said in looking at the community colleges, Bainbridge College offered in-state tuition to Gadsden County residents and offered more than TCC as far as truck driving courses and technical courses that TCC does not offer and asked if this was limited to one community college and he also mentioned Chipola College.

**Keith Dowdell, Mayor of the City of Quincy,** and said there was a meeting last Tuesday, they passed the matter until they have their budget meeting and planned to move forward with the resolution.

Commissioner Hinson stated there were hundreds of students driving to Bainbridge and to Chipola and asked to not limit this to TCC.

Commissioner Morgan said the Administrator had started this as a building block and could move forward to Bainbridge and Chipola and added that the Resolution was exactly right for the baby steps that needed to be taken.

Mr. Presnell said as things proceeded, everyone would be asked to participate in a joint meeting to move forward with this.

Chair Croley stated that was a good idea and anything that could be done to enhance would be good.

Commissioner Taylor asked that maybe this should be taken before the other boards, but to deal with what was before them at the time.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

#### **COUNTY ADMINISTRATOR**

##### **15. Update on Board Requests**

Mr. Presnell said Ochlocknee River was projected to crest over Highway 12 tonight and asked that everyone to please be careful traveling home.

He reminded everyone of the budget workshop set for Thursday, August 22<sup>nd</sup> at 4:00 p.m.

Commissioner Morgan stated he appreciated the efforts of the Administrator regarding the budget and he should be commended on his efforts for getting communications started on the previous item.

He stated there was one item placed on the consent agenda at the last meeting that significant changes were made to the item following the Boards' discussion of the actual item. He made a request for the Board to consider if the item is different from what they discuss, to please put it on a separate agenda item to allow it to be opened for discussion.

#### **COUNTY ATTORNEY**

##### **16. Update on Various Legal Issues**

Mrs. Minnis stated she had no issues.

Commissioner Taylor asked about the Solar Farm and stated she was concerned with the agreement being out there and did not know if there was a deadline on the agreement. Mrs. Minnis said they had indicated they were still looking at sites and planned on moving forward still. She added there was nothing that the Commission was doing to delay the item.

Mr. Presnell stated he, David Weiss and representatives from another solar farm had met and added that shortly after that, National Solar contacted him and they wanted to proceed.

Chair Croley asked if it was be OK with Commissioner Taylor if Mrs. Minnis brought the contract to the next meeting and gave a brief report.

Commissioner Morgan said out of respect to National Solar, if it was to be placed on the agenda, to please inform National Solar so could they have the opportunity to be present and he encouraged the Board to keep a positive tone when discussing this item as it was a huge

investment for Gadsden County.

Chair Croley said he thought Commissioner Taylor was not trying to discuss the agreement or merits of the project, but to give key points that are in the document

Commissioner Morgan asked Mrs. Minnis if they were adhering to the State's Constitution concerning the redistricting and asked for clear advice from the legal team concerning the matter.

Mrs. Minnis said her recommendation remained the same as at the earlier meeting and that was to hire an expert to look at the numbers to determine whether the Board needed to make changes to the line. Mrs. Minnis said since this was not an agendaed item; she did not want to get into an in-depth discussion about the issues, but the way the constitution and statutes read collectively, the re-districting must be done in an odd-numbered year, it doesn't state a particular odd-numbered year, but it must be done in an odd-numbered year.

Commissioner Morgan asked if it had to be done every ten years.

Mrs. Minnis stated it had to be done in an odd-numbered year after the release of the information in the decennial census, the ten year census.

Commissioner Morgan asked if this was done in 2015, would they meet state statutes.

Mrs. Minnis stated that was her understanding, there was nothing stating it had to be a particular odd-numbered year and the benefit of that was elections are held in even numbered years, if the changes are done in odd-numbered years, you don't adversely affect the election and the candidate would have an opportunity to know if the lines are going to be re-drawn before they declare.

Commissioner Holt asked for a copy of her billing and Mrs. Minnis stated her bill for July just went out and she would be receiving a copy of the bill.

Commissioner Hinson said it was interesting they had discussed the Solar Farm, and said when the attorney was asked to research something, what the retainer covered.

Mrs. Minnis responded that their bills were itemized, available in the Administrator's office for the Commissioners to review at any time, the attorneys that do county work substantially discount their fees and they take the dedication to public service very seriously and try not to over-bill or bill unnecessarily.

Chair Croley reminded the commissioners that they would be looking at a new RFP as this agreement expires.

*Commissioner Morgan stepped out at this juncture of the meeting.*

Commissioner Hinson said he would never try to discredit someone, but there were questions he had and wanted the information in case he was approached by the public.

*Commissioner Morgan returned.*

## **DISCUSSION ITEMS BY COMMISSIONERS**

### **17. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

#### **COMMISSIONER TAYLOR, District 5**

Commissioner Taylor said she was hopping on the retainer wagon also. She added that Jackson County just got a Kia plant and that businesses were flocking there and thought that one of the board members for the economic development should be from Jackson County. She added that while we might not be able to mimic, but we certainly could partner.

Mr. Presnell said they were willing to help us in any way they could.

She said the first two days of school were phenomenal, but there was always room for improvement. She asked, if she was not overstepping her boundaries, that each commissioner reach out to schools in their district and help the students with needed issues.

She brought up the retainer for the county attorney and said they were going into budget talks and this was an opportunity to address that.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-1 BY VOICE VOTE, TO HAVE THE ADMINISTRATOR DRAFT A LETTER OF SUPPORT FOR A LINK IN ECONOMIC DEVELOPMENT. COMMISSIONER MORGAN OPPOSED.**

#### **COMMISSIONER HOLT, District 4**

Commissioner Holt stated she attended the TDC meeting last night and said the Board was responsible for any boards that they appoint and what they spend. She said there were things added to the agenda that had not been advertised.

Chair Croley stated they could not be a part of anything that was not being properly handled and asked Mr. Presnell to research what was happening and report back to the Board at the next meeting.

She added there was one item that was over \$5,000 and per the rules of the TDC, it should have come before this Board.

#### **COMMISSIONER MORGAN, District 3**

Commissioner Morgan said the volunteer board of the TDC has worked very hard over the years to make sure they are following state statutes as to how the dollars are invested or spent and no-one was concerned about the TDC until it was discovered there was money there.

*Commissioner Holt stepped out at this juncture of the meeting.  
Commissioner Holt returned at this juncture.*

He added the issue of over \$5,000 being spent and clarified that was for three different events that totaled just over \$6,000 and was not for one project.

He asked that they keep in mind that in a small rural county, it could be difficult in a lot of ways;

there has always been an effort to be open, honest and candid about how dollars are invested for different events.

He also mentioned the costs with the attorney firm and asked them to remember there was a lot less in legal fees being spent than earlier. He asked them to be careful and positive on how they move forward in the discussions and asked them to be professional. He stated that Gadsden County had the reputation concerning how agreements were handled.

Commissioner Holt added she met Duane “Rock” Johnson Sunday morning, was able to go to Tallahassee to eat and discussed economic development in Gadsden County with him.

**COMMISSIONER HINSON, Vice Chairman, District 1**

Commissioner Hinson stated he was trying to figure out how to fund the EMS issue in Midway.

He congratulated the County on hosting a Small Business Workshop and said he received a lot of information at the workshop.

He added he had heard great things regarding Public Works and asked the status of hiring of a director. Mr. Presnell said it was scheduled for the next meeting.

He said there was a ribbon cutting scheduled for Thursday in Havana for an adult day-care center at 10:00 a.m. and hoped everyone could be there to participate to help promote small business.

**COMMISSIONER CROLEY, Chairman, District 1**

Chair Croley complemented Public Works on their efforts during the rainy season that we have experienced.

He mentioned the Pledge on the front of the podium and reminded everyone that Port St. Joe had passed a Pledge of Civility and stated they were all here for one purpose—to move things forward and do the right thing for the County.

He stated he wanted to be cautious on one matter and stated Mr. Ed Allen had spoken before the Board concerning the redistricting issue and he said he knew the right thing to do was to look at it in some formal way. He said his concern was and would remain that if they did not do this voluntarily, they would be mandated to do it by some form of legal action and asked that everyone think about it and think what the right thing would be to do.

**RECEIPT AND FILE**

**18.**

- a. Letter from Michael Dorian (Gadsden United, Inc.) to the Board**
- b. August 6, 2013 Letter from BOCC Chair to members of the family of Mr. Ralph Lee Perkins**
- c. July 29, 2013 Letter from Florida Department of Health (½ Cent Sales Tax Prevention & Education Program 3<sup>rd</sup> Quarter Report)**

**August Meeting(s)**



-August 22, 2013 Budget Workshop at 4:00 p.m.

**September Meeting(s)**

-September 3, 2013 (Regular Meeting at 6:00 p.m.)

-September 10, 2013 (1<sup>st</sup> Budget Hearing at 6:00 p.m.)

-September 17, 2013 (Regular Public Meeting at 6:00 p.m.)

-September 23, 2013 (Final Budget Hearing at 6:00 p.m.)

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 8:10 P.M.**

**GADSDEN COUNTY, FLORIDA**

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**DOUGLAS M. CROLEY, Chair**  
**Board of County Commissioners**

**ATTEST:**

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**Marcella Blocker, Deputy Clerk for**  
**NICHOLAS THOMAS, CLERK**

**AT A BUDGET WORKSHOP OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON AUGUST 22, 2013 AT 4:00 P.M.,  
THE FOLLOWING PROCEEDING WAS HAD, VIZ:**

Present: Doug Croley, Chair-District 5  
Eric Hinson, Vice-Chair-District 1  
Gene Morgan, District 3 (arrived late)  
Brenda Holt, District 4 (arrived late)  
Sherrie Taylor, District 5 (arrived late)  
Jeff Price, Budget Director  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
Deborah Minnis  
Marcella Blocker, Deputy Clerk

**INTRODUCTION BY COUNTY ADMINISTRATOR**

Chair Croley called the meeting to Order at 4:07 p.m.

*Commissioner Holt arrived at this juncture of the meeting.*

Mr. Presnell said the re-appropriation for the jail locks were included, \$400,000 was included and had to add an additional \$120,000 from Medicaid funds, but it was already appropriated, just rolled into the new budget. Mr. Presnell stated that the budget was balanced. He also stated there were additional requests that would be addressed later in the workshop. He did want to mention that at the last meeting there were additional requests for marketing dollars for economic development efforts and signage for a trail park.

*Commissioner Morgan arrived at this juncture of the meeting.*

Mr. Presnell explained the requests were in the budget but they had been reduced, clarified some things had to be cut to make the budget balance. He explained money was cut from the Senior Citizens and a cap was placed on employee raises, that anyone over \$75,000 would not receive a pay increase.

Chair Croley asked about the money budgeted for mowing and thought the privatization in the one district was to save money. Mr. Presnell explained it would increase services in the other districts but would not save money.

**SENIOR CITIZEN SERVICES**

Commissioner Morgan asked if the Senior center in Chattahoochee was being funded equally as Havana or the other Senior Centers.

Mr. Presnell said he had talked with the Center in Chattahoochee and the executive director in Quincy; Chattahoochee is funded and has been through the Quincy center.

Commissioner Morgan asked if all the senior citizen centers throughout the County were funded through the County on an equal basis and what the funding would be used for in Havana.

Mr. Presnell stated the only two centers were in Quincy and Chattahoochee.

Commissioner Morgan again asked if they were being funded at the same amount that Havana was being funded and stated he would not support one center receiving more money than the other centers. He added that the meals were separate dollars and asked what the money would be used for in Havana.

Mr. Presnell said there was a request for some building upgrades and to purchase a van.

Chair Croley asked if Chattahoochee back feeds from Quincy and if the other centers received money in the same fashion.

Commissioner Hinson said there was no need to argue over this, but added if the Havana Center was not funded, he refused to fund the Chamber. He added he was going to fund the Chamber \$100,000 this year.

Chair Croley stated the County, as a whole, has a county senior center building that was supposed to be a county-wide service, \$50,000 has been going to support that center county-wide and asked if Havana was a separate center and received no funds from the Gadsden County Senior center funding.

Commissioner Hinson said he was in support of a lot of things the Board had done and this was \$10,000 and would possibly hurt the Chamber, hurt the attorney, hurt everything that they "are in concurrence with". Commissioner Hinson then said he had given his word to Havana after they had decided it would be funded.

Chair Croley asked if Commissioner Hinson was stating that the Senior Citizen Center in Havana was owned by the Town of Havana.

Commissioner Hinson said that on September 3<sup>rd</sup> he would make a motion that there would be a new attorney and that they would not fund the Chamber of Commerce if they do not fund the Senior Citizens.

Commissioner Morgan stated Commissioner Hinson would not threaten him from this day forward on what he would do and what he expected of Commissioner Morgan.

Chair Croley said they were trying to understand the perimeters of what was being asked for and asked Commissioner Holt for her input.

Commissioner Holt said the Senior Citizens center in Quincy was originally built and funded for the County, when the funding started getting cut, they couldn't offer as much, a lot of places did not have a Senior Citizens Center and they would try to come into Quincy. She added it was good to

find out what services each one offered so the Board would know what they needed to provide and added if anything was going to be funded out of the reserves, that was good cause, but they needed to look at what services were already offered.

Chair Croley said he was trying to understand, there was a Gadsden Senior Citizen center that was supposed to be county-wide, there were satellite centers, and asked if it would be logical for the money to be funded to Gadsden and then be distributed throughout to the other senior centers.

Commissioner Holt said first they needed to find out what the needs were, and added the majority of the funding came from the Department of Elder Affairs.

Commissioner Morgan said Commissioner Holt was correct and the funding agencies had very strict guidelines and would run the risk of losing the funding if the guidelines were not met and added there was a right way that they had to go about doing things.

Commissioner Holt said that if the Havana Senior Center could follow the law, she had no problem with that, she only had a problem that they could not fund Quincy and fund the others.

*Commissioner Taylor arrived at this time.*

Commissioner Holt said it was not their \$5 Million, it belonged to the people they were serving.

Mr. Presnell said there was only Quincy, Chattahoochee and Havana Senior Centers; one was on drawing board for Midway.

Commissioner Hinson said he was perturbed about the situation.

Commissioner Taylor apologized for her tardiness; she informed the Board she has taken an 8-5 job and was just coming from her job and asked the Chair for a quick update on what she had missed.

Chair explained that in order to achieve some of the funding objectives and to balance the budget, there were cuts made across the board and Commissioner Morgan didn't think Chattahoochee was receiving equal support as Havana for the Senior Citizens and therefore he wasn't supporting Havana receiving the funding of \$10,000 and it set off a "conversation and with the use of the gavel, order was restored".

Commissioner Morgan asked to clarify his position because he did not believe Commissioner Hinson understood what he was saying. He said he had no problem with the additional funds for senior services, but it needed to go through the Gadsden County Senior Services and added if \$50,000 was not enough to get Havana their money, then maybe it needed to be raised to whatever the appropriate amount needed to be. He wanted to make sure he was understood.

### **EMPLOYEE RAISES**

Mr. Presnell said he wanted it on the record, in order to balance the budget, employee raises were capped at \$75,000 and no-one over that amount would receive a raise.

### **JAIL LOCKS**

Mr. Presnell said that \$400,000 for jail locks was re-appropriated and had been in the budget for two years and they had to add an additional \$120,000, but it was not costing them anything, the dollars were in the current year budget and they were rolling them forward.

### **TRANSPORTATION FUND BALANCE**

Mr. Presnell said the Transportation fund balance did require subsidization of the operational budget.

Commissioner Holt asked what a good operational budget was.

Mr. Presnell answered that there was enough in reserves to fund operational deficiencies and told the Board that gas revenue were down.

Chair Croley said SCRAP and SCOP were separate funds and the situation may improve and added that the Bond was due to be paid out in four years.

Clerk Thomas said cash in the transportation fund as of August 6, was \$1,145,000.

Chair Croley asked, historically, what the fund had been at this date.

Clerk Thomas said revenues ran a little behind, the fiscal year would end September 30<sup>th</sup>, and they were estimating \$1.7 Million on that date.

Chair Croley said as the economy improved, revenues would go up.

### **ITEMS THAT NEED BOARD DIRECTION**

- Ambulance service in Midway
- Request for \$5,000 for Alzheimer's Project
- \$11,000 for Habitat for Humanity.

Chair Croley asked about the report on ambulance calls and where the bulk of calls came from.

**Tommy Baker, Gadsden EMS Director**, appeared before the Board to give his report on the ambulance calls and stated 85% of the calls were in the central area of the County and there was between 25-30% dry runs system wide.

Mr. Baker said they had eleven fire responders, three ambulance sites, and added Midway and Havana might be able to be consolidated into one, and they had looked into centrally locating one between the two areas. He further explained that they were on a 24 hour shift now and Leon County was working a 12 hour shift working six days straight and conducting a survey on the efficiency.

Chair Croley asked if they were successful in moving to a new site, could they move the ambulance from the hospital to the new site.

Mr. Baker said the twenty-four hour shift was designed to get rest but with the call volume increasing, it was making it harder for EMT's to get the needed rest.

It was pointed out by Mr. Baker that Midway was not yet ready; there were logistical things that needed to be done.

Commissioner Morgan suggested a trial run of six months and monitor moving the ambulance to Midway. Mr. Baker said if they tried that on a six month basis, who was to say Greensboro or Gretna would not want to try same thing.

Chair Croley asked if the new trauma center at TMH located at I-10 & Thomasville Road would be receiving ambulance calls.

Mr. Baker said yes.

Commissioner Taylor said she agreed with the Clerk to not put it in Midway at this time because of the budget problem. She added she wanted to figure out how to do it and suggested having Midway employ someone with EMT training at the fire station to help cut costs.

Commissioner Hinson stated only one ambulance covered the whole east side of Gadsden County and they have \$5.3 Million, if they drew out \$300,000, it would take it down to \$5 Million and they would still be in great shape.

Commissioner Taylor said the problem was if they drew out \$300,000 the first year, it would reduce \$300,000 each year.

Commissioner Hinson said if the reserve was at \$5 Million, they would still have \$5 Million every year. He said Chattahoochee had no call volume, only every blue moon. He added that people in the Quincy area would not call the ambulance, but would get in their car and go to the hospital and that a lot of the seniors in the area are excited about the ambulance coming to Midway.

Commissioner Taylor said he was explaining that the revenue would replenish itself because of their thrifty ways and the way they operate their budget; but the problem was the way to increase their revenue would not exist in the next two-three years because of the gas taxes, economy, etc. She added the only way to have this was to raise taxes and cut employment, both she was against.

Commissioner Holt said she agreed with Commissioner Hinson on the need, but not on the numbers and added that logically, it made more sense to put one further away from a facility for better response.

Commissioner Hinson said that earlier Commissioner Morgan had said it was their job to provide public service for the people.

Chair Croley said he didn't know if an ambulance was logistically needed in Midway, Havana, or Chattahoochee, but did know that everybody in those communities and across the County needed access to the ambulance. He felt the smart way to handle this was to allow the professionals like Mr. Baker to run a proper report, and allow them to make the recommendation and then the Board

could make an informed decision.

Chair Hinson asked for clarification from Commissioner Taylor.

Commissioner Taylor said while it was not fiscally smart to agree with this, but she was voting with her heart, not her head.

Commissioner Morgan said the quote Commissioner Hinson called him out on earlier about providing quality services, that was their number one objective and the point was, without being financially sound, you were unable to provide needed services on a consistent basis and asked them to look at how long they could provide services if they continued to spend money they did not have. He said if they looked within their own county, there were municipalities that would be in situations they would not be able to recover from and the reason the country was in the shape it was in was it has continually spent money it didn't have. This Board, as a whole, has put together a budget and has worked very hard to stay within that budget. He added we could not make bad decisions now that would lead to worse decisions in the future.

Mr. Presnell said if the Board decided to do this, it did not have to be on a permanent basis, they were not obligating for ten years, they would vote on this next year and this would relieve the call volume issue that had been brought to his attention in the area.

Commissioner Holt said if the money was not there, she would not vote for it in the future. She said the budget was not in trouble years ago, libraries, fire stations, etc. got built. She asked Mr. Baker to show them some good numbers, good, bad or whatever, geographically so the Board would be able to see where the need was.

Mr. Presnell said the report could not get done in time for this workshop, but the report and map was to come.

Chair Croley stated he was not supporting anything without seeing the numbers.

#### **ALZHEIMER'S PROJECT AND HABITAT FOR HUMANITY**

Mr. Presnell said there were two requests:

- Alzheimer's project was requesting \$5,000
- Habitat for Humanity was requesting \$11,000.00

Mr. Presnell said there was nothing budgeted for these two projects and if the Board wished to fund the two, it would have to be cut from elsewhere in the budget or come from the reserves.

Commissioner Hinson said Tallahassee had a GPS tracking system for Alzheimer's patients and thought this needed to be looked into and considered for Gadsden County.

Commissioner Taylor said they had just taken ¼ Million from the budget and not in favor for this at this time, but would like to revisit this in January.

**LEGAL FEES BUDGET**

Chair Croley said the next item was the Professional Services budget and the budgeted amount was \$215,000, the same it had been for the past three years.

*Commissioner Holt stepped out at this juncture of the meeting.*

Commissioner Taylor asked what the retainer covered.

*Commissioner Holt returned at this juncture of the meeting.*

Mrs. Minnis explained the current monthly retainer is \$7,750 and this included 50 hours of service per month for that amount and it was not a task based retainer, but instead was an hourly retainer. She further explained that anything over the 50 hours would be then billed and there were different rates for the different attorneys involved.

Commissioner Taylor said there should be a set rate over the 50 hours covered by the retainer and they needed to renegotiate the terms going forward.

Chair Croley reminded everyone the workshop was about the budget and the budget for the legal services was budgeted at \$215,000, the costs has been running around \$160,000. He said if the Board wanted to reduce or increase it, this was the time to do so.

Commissioner Taylor said one thing she had asked for was the privilege of discussing the contract for the attorneys.

Commissioner Hinson said he would like to bring back at the next meeting was fees that Mr. Glazer had charged.

Clerk Thomas said the County had given money to GHI earlier, but the unspent \$13,000 had been returned to the County.

Commissioner Holt felt the legal budget should be reduced to \$150,000 and she wanted to re-bid the contract.

Chair Croley said the Administrator had put \$215,000 in the budget for the coming year and that amount is the same it has been the past years, and that could be reduced or they could wait until they received RFP's back.

Commissioner Taylor asked when their contract expires.

Mrs. Minnis responded it was June 30, 2014.

Commissioner Taylor asked the Board to be mindful of what has been expended because of trying to put an ambulance in Midway.

Commissioner Morgan recommended following the Administrator's advice.



Chair Croley asked if there was anything the department heads were missing and said this would be the time to speak up.

Commissioner Holt said Probation had not been updated with software and was interested in asking for \$20,000 for them to be able to upgrade their system to give them the opportunity to increase their payment ratio.

Mr. Presnell said they had just received the first quote for software and it was for \$18,000.

**PUBLIC COMMENTS**

Chair Croley called for public comments and there were none.

**ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 6:11 P.M.**

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**DOUGLAS M. CROLEY, Chair**  
**Board of County Commissioners**

**ATTEST:**

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**NICHOLAS THOMAS, Clerk**

**AT A REGULAR MEETING OF THE BOARD OF  
COUNTY COMMISSIONERS HELD IN AND FOR  
GADSDEN COUNTY, FLORIDA ON SEPTEMBER  
3, 2013 AT 6:00 P.M., THE FOLLOWING  
PROCEEDINGS WERE HAD, VIZ:**

Present: Doug Croley, Chair-District 5  
Eric Hinson, Vice-Chair- District 1  
Gene Morgan, District 3  
Brenda Holt, District 4  
Sherrie Taylor, District 5  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley asked everyone to please mute their phones and then called the meeting to order at 6:00 p.m. He asked everyone to stand for the prayer and the Pledge of Allegiance to the U.S. Flag. A silent roll call was taken by Marcella Blocker, Deputy Clerk.

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Croley welcomed everyone to the meeting and asked Mr. Presnell if there were any amendments to the agenda and there were none.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD  
VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS PRINTED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Wisdom Adult Day Care Services, LLC**

(Commissioner Eric Hinson, Vice Chairman, District 1/Latasha Davis, Owner/Director)  
Mr. Presnell introduced the above item and introduced Latasha Davis.

**Latasha Davis, Wisdom Adult Day Care Services, 1747 FL-GA Highway, Havana, FL 32333**

appeared before the Board and thanked them for their attendance and participation in the ribbon cutting ceremony that was held for the adult day-care and presented them with a Thank You plaque. Ms. Davis said their purpose was to provide a specialized adult day-care service to the seniors of the Gadsden County area.

Commissioner Hinson stated he had visited the site and it was unbelievable and was a wonderful place. He added that approximately 70 people appeared at the ribbon-cutting along with Mr. Thomas and himself.

**2. American Cancer Society 2014 Quincy Relay for Life**

(Cheron Thornton, Community Representative, II)  
Mr. Presnell introduced the above item.

**Cheron Thornton, 2619 Centennial Blvd, Suite 101, Tallahassee, FL 32308** appeared before the Board and stated there would only be one Relay for Life in Gadsden County in 2014 and it was being renamed Relay for Life of Gadsden County and she hoped the County would support the event.

Chair Croley asked Mr. Presnell to prepare a Resolution regarding this and Mr. Presnell added the County would have a team this year with County staff.

**3. Briefing on SR 12 Project Development & Environment (PD&E) Study**

(Ray La Fontaine, FDOT District 3, Environmental Management Office)

Mr. Presnell introduced the above item and said this was an update for the Board on the State Road 12 project.

**Ray La Fontaine, 607 Highway 90, Chipley, FL, DOT District III, Project Manager**, appeared before the Board to explain the above item.

**Ryan Weatherall, Kimley-Horn and Associates, 2615 Centennial Blvd, Suite 102, Tallahassee, FL 32308**, appeared before the Board and explained this was taking the item to the next step. He said they were starting the project development and environment (PD&E) study on starting a bike trail from Corry Street in Quincy to Highway 27 in Havana.

Chair Croley asked if there were any questions or comments.

Commissioner Taylor asked how the roads were selected.

Mr. Weatherall explained the feasibilities study that had been performed and they worked with CRTPA as to where it needed to begin and end and they recognized from the feasibility study there was an interest in potentially taking the trail a little bit further into downtown and they were open to partnering in whatever way that it would make sense in considering what the City has planned versus what the state work would be on this segment of SR 12.

**Matt Thro, 302 N. Main Street, Havana, FL**, appeared before the Board and informed the Board that the Havana Town Council had passed a resolution in support of this and asked that the Board support it as well; it would be an economic impact for the County and would help highlight the natural beauty of the county.

**Ed Bass, 407 E. 9<sup>th</sup> Avenue, Havana, FL**, appeared before the Board and said it was his opinion this would be a great opportunity and added that he owned the Subway Restaurant in Havana and everyday there were 5-10 bicyclists that would come to town and they were riding down the highway and the path would be great for the safety of the people and would also bring in more riders.

**Jim Kellum, 104 N. Main Street, Havana, FL, President of the Havana Merchants Association and owner of Kellum's Furniture, Antique Center and Kellum's Fresh Air Market and Garden Center**, appeared before the Board and added as a merchant they were trying to get people to

come to Havana to shop and/or eat and in the past he has traveled on Highway 12 when there have been several riders and tried to be cordial to them by moving over and added the path would be very nice to accommodate them. He added that the merchant's association was behind this and encouraged the Board to move forward with it.

**Jack McLean, City of Quincy manager, 404 West Jefferson Street, Quincy, FL** appeared before the Board and informed the Board that the City of Quincy and the City Commissioners had adopted a Resolution some time ago in support of the bike trail and commended the County Commissioners for working with the engineers in coming up with this.

#### **CLERK OF COURTS**

##### **4. County Finance and County Clerk Issues**

Clerk Thomas stated he hoped the email previously sent to them helped clarify his comments regarding the fund balance he spoke of at the previous meeting.

He added there still needed to be some budget amendments presented to the Board regarding the refunding of the road bond and bringing forward of grants from last the fiscal year.

#### **CONSENT**

Commissioner Hinson asked to pull Item 11.

Commissioner Morgan asked to pull Item 9.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS AMENDED. (ITEMS 9 AND 11 PULLED FOR DISCUSSION)**

##### **5. Approval of Minutes**

- August 1, 2013 Budget Workshop
- August 6, 2013 Regular Meeting

##### **6. Ratification of Approval to Pay County Bills**

##### **7. Approval of the 2013-2014 Mutual Aid Operations Plan Between Florida Department of Agriculture and Consumer Services, Florida Forest Service and Gadsden County Fire Departments and the 2012-2013 Annual Forestry Report and Operating Plan**

The Board seeks approval of the 2013-2014 Division of Forestry Mutual Aid Operation Plan between Florida Department of Agriculture and Consumer Services Florida Forest Service and Gadsden County Fire Departments. Staff also seeks approval of the 2012-2013 Annual County Commissioners Report between Florida Forest Service and Gadsden County, which details all the events from July 1, 2012 to June 30, 2013. The details are for burning permits, wildfires, and land management.

##### **8. Approval of New Road Names (Comfort Creek Trail and Dawson Court)**

##### **9. ~~Approval of SimplexGrinnell Service Agreement Contract~~ PULLED FOR DISCUSSION**

This agenda item seeks Board approval to continue the service agreements with SimplexGrinnell

for the Annual Fire Alarm Detection at the Gadsden County Jail, Gadsden County Courthouse, Guy A. Race Judicial Complex and the Gadsden County Sheriff Department and request the Board to authorize the Chairman to execute the contracts.

**10. Approval to Dispose of Surplus Electronic Equipment**

This agenda item seeks Board approval to dispose of surplus electronic equipment that is obsolete, damaged and has no useful value.

**~~11. Approval of Library Strategic Long-Range Plan for FY 2013-2018~~ PULLED FOR DISCUSSION**

**ITEMS PULLED FOR DISCUSSION**

**9. Approval of SimplexGrinnell Service Agreement Contract**

Commissioner Morgan stated there was no information on the total of the contracts under the Fiscal Impact of the agenda item and said he did see where there were a few different buildings and asked Mr. Presnell for a break-down. He asked if this was a one-time annual fee.

Mr. Presnell said it was an annual fee and they had looked into re-bidding the contract, but the way it was explained to him, there were components built into the wall and if they went with another company, the equipment would have to be removed and new equipment would have to go in.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE ITEM 9.**

**11. Approval of Library Strategic Long-Range Plan for FY 2013-2018**

Mr. Presnell introduced the above item and added this plan was required by the State to receive library grant money.

**Dr. Carolyn Poole, Library Director with Gadsden County Public Library Systems, 732 Pat Thomas Parkway, Quincy, FL 32351** appeared before the Board.

Commissioner Hinson asked if this item could be work shopped to address the books, supplies, accessibility and hours of operation of the Library.

Chair Croley asked that Commissioner Hinson address this during his time to speak.

Commissioner Holt mentioned having comment cards at the library that could be filled out by the public to help improve services.

Commissioner Morgan stated he appreciated the efforts put forth in the five year plan and stated he recalled earlier in the year there had been a county-wide town hall meeting held regarding this item.

Dr. Poole said the five year plan was time sensitive and needed to be approved before they could apply for any state aid grants; they would be glad to incorporate any changes and/or revisions in their annual plan of service which would be done later in the fall and could be amended at that time.

Commissioner Hinson stated there was a meeting in two weeks and asked if a workshop could be held next week before the already scheduled workshop to discuss this matter because of the need.

Chair Croley said Commissioner Hinson could address this during his time to speak.

Mr. Presnell said some things had been addressed as far as their hours of operation, etc. and he recommended the Board approve the five year plan, and added the hours of operation could be changed anytime the Board wished to do so.

**Mrs. Emily Rowan, 1200 Little Sycamore Road, Quincy, FL** appeared before the Board and said she asked to speak because she thought they might breeze through the items and wanted to let everyone know there had been a number of people that had given countless hours and had work shopped this matter since last November and asked that they review the strategic Plan and that it was very good and very important and stated what a joy it had been working there. She added the strategic plan was adopted to be able to apply for state grants. She introduced some of the members present and asked them to please stand as their names were called. She asked that they please read through the plan if they had not done so.

Commissioner Hinson stated this Board was committed to the Library and was supportive of what the library was doing.

Commissioner Holt said she appreciated what everyone in the communities had done in support of the library. She mentioned the evaluation cards and said Dr. Poole needed to know the comments first before they get to anyone else; the cards would give a lot of opportunity.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE ITEM 11.**

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

Ed Bass, 407 E. 9<sup>th</sup> Avenue, Havana, FL, regarding the Bike Path

Karen Bass, 407 E. 9<sup>th</sup> Avenue, Havana, FL, available to speak on behalf of Sicamu

Lewis Ward, PO Box 188, Havana, FL, regarding Lewis Creek proposal

Emily Rowan, 1200 Little Sycamore Road, regarding Library Strategic Long-Rang Plan

Jim Kellum, 104 N. Main Street, Havana, regarding the Bike Trail

Matt Thro, 302 N. Main Street, Havana, FL, regarding Sicamu

Matt Thro, 302 N. Main Street, Havana, FL, regarding bike path

**Chris Breedlove, 25 High Street, Quincy, FL**, appeared before the Board to express his opinion regarding the SHIP program, the homeless population and stated his Mother was Leona Breedlove and his problem was his mother had tried to get a grant to get her house built but passed away before it was done. He said the place at one time was a bar/restaurant with the home in the rear. He asked why she was denied the benefit of the grant when the money was being passed out. He added that the library system was a good thing and added this was his first public appearance. He asked where he stood regarding the SHIP grant and his home.

Chair Croley asked Mr. Presnell to reach out to him to explain how the process worked and

asked that he give his contact information to Jill Jeglie.

## **PUBLIC HEARINGS**

### **12. Public Hearing-Approval of Budget Amendments and Resolution 2013-019 for Funding of the Jail Locks**

This agenda item seeks Board approval of Resolution 2013-019 and authorization for the County Administrator, Finance Director and Senior Management and Budget Analyst to complete and execute budget amendments #13-0061 and #13-0062.

Mr. Presnell introduced the above item. He stated the bids came in high for the locks; they found an additional \$120,000 and asked the Board to put this with the \$400,000 and roll it forward into the next year because it would be in October before the project would be completed.

Chair Croley stated this was a public hearing and asked if there was anyone present that wished to speak for or against the item and there was no-one.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ABOVE ITEM.**

### **13. Public Hearing-Grant Application to the Florida Department of Agriculture and Consumer Services for the Construction of an Agriculture Education and Promotion Facility**

The agenda item seeks Board approval for an application to be submitted to the Florida Department of Agriculture and Consumer Services for funding to construct an Agriculture Education and Promotion Facility; and approval of Resolution 2013-013 certifying that the proposed facility serves a public purpose.

Mr. Presnell introduced the above item and said Dr. Henry Grant was asking permission to seek a grant for the reconstruction of the Livestock pavilion.

Chair Croley stated this was a public hearing would be an effort to enable the County to get funding for a new agricultural facility and asked if there was anyone present that wished to speak for or against the item and there was no-one.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, BEFORE THE VOTE WAS TAKEN, COMMISSIONER MORGAN CALLED FOR DISCUSSION.**

Commissioner Morgan thought it was great they were applying for the grant, but had questions.

**Dr. Henry Grant, County Extension Director, 2140 West Jefferson Street, Quincy, FL.** appeared before the Board to answer questions.

Commissioner Morgan asked if the County was required to match the grant at 40%.

Dr. Grant responded yes and they were using the value of the property among other things and the match amount came up to \$125%.

Commissioner Morgan asked how they needed to plan for this if they were successful in obtaining the grant from a budget standpoint.

Mr. Presnell said Dr. Grant had been very creative and was not anticipating a large capital outlay.

**THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ABOVE ITEM.**

**14. Public Hearing-Consideration of Resolution 2013-013 to Name an Un-named Creek “Lewis Creek” as Requested by Lewis A. Ward and Required by the U.S. Board of Geographic Names**

Mr. Presnell introduced the above item and said this was for consideration of an un-named creek.

**Lewis Ward, 2977 Kemp Road, Havana, FL** appeared before the Board and stated he was born near the creek and all his life it had been called “Lewis Creek”. When FDOT replaced the bridge, he found out there was no name for the creek. In inquiring to having the creek named, he discovered the process and the Board had to give their blessing to have it named officially.

Chair Croley asked if there was any other citizen who wished to speak and there was no-one.

Commissioner Hinson stated he had his reservations and did some extensive research. He said some of the older citizens recalled “back in the day” the water had been clear. He stated he thought they needed to look into getting the water clear again.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ABOVE ITEM.**

**15. Public Hearing (Quasi-Judicial)- Hearing to Consider the Sicamu, Inc. Class II Site Plan for Change of Use Request (SP-2013-06).**

*\*At the July 16, 2013 meeting, the BOCC remanded the Sicamu, Inc. application request back to the Planning Commission for consideration to correct a public notice error and to incorporate fire safety changes. At the August 15, 2013 meeting, the PC voted (9-1) to approve the Sicamu, Inc. Site Plan with Change of Use. In accordance with Subsection 7501, ‘Public Hearing Requirements’ public notices were mailed to property owners within 1000 feet and notices were posted in three local papers. As directed by the BOCC, public hearing notices were hand delivered to rental (residential) and business properties in proximity to the site.\**

Mr. Presnell introduced the above item.

Chair Croley informed everyone this was a quasi-judicial hearing and everyone that wished to speak would need to be sworn in by the Deputy Clerk.

**Jill Jeglie, Interim Planning and Comm. Development Director**, appeared before the Board to explain the background of this matter and was sworn in by the Deputy Clerk. She informed the Board when they made their application, they would have engineer plans, etc. at that time and explained there was an extensive list of agencies they would have to go through for reviews as a part of the process.

Chair Croley asked that Mr. Pons or his representative to come forward and make any statements and/or answer questions the Board had.



**Mr. Jose Pons, 1066 Strong Road, Quincy, FL**, appeared before the Board, was sworn in by the Deputy Clerk and stated he was caught by surprise on making a statement because there were so many controls and added that the product they would make was not toxic and not damaging.

**Matt Thro, Councilman, City of Havana, 302 North Main Street, Havana, FL**, appeared before the Board and was sworn in by the Deputy Clerk. He stated Mr. Pons was willing to come into the community, bring business and employ citizens. He added he wished it could be in Havana but was very excited it was in Gadsden County.

**Karen Bass, 407 East 9<sup>th</sup> Ave., Havana, FL**, appeared before the Board, was sworn in by Marcella Blocker and said she had represented Mr. Pons through the application process and handed out a brochure to show the types of product that would be manufactured and added the construction process alone would start employing people almost immediately.

**Allen Harrod, 353 Christian Loop Road, Havana, FL 32333**, appeared before the Board, was sworn in by Marcella Blocker and stated he ran the Printing House for a number of years and felt like they were good for the community and hated to see the printing operation close down. He said he had the opportunity to be a part of selling the building to Mr. Pons and added he was an outstanding person.

**Keith Dowdell, Mayor of the City of Quincy**, said he had never met Mr. Pons but his staff has worked extensive hours to ensure the safety of the plant and Mr. Pons has done everything correctly.

**Jack McLean, City Manager of the City of Quincy, 404 West Jefferson Street, Quincy, FL**, appeared before the Board to speak on behalf of the City of Quincy and said they have had an opportunity to meet with the owner in a regulatory capacity and have found them to display an attitude to be willing to do whatever necessary to have this business located here. He added that he could tell the Board they could rest assured that this business would not be a threat to this community and would be a risk that could be managed.

**Chief Scott Haire, Fire Chief and Local Fire Marshal, City of Quincy and Gadsden County**, appeared before the Board, was sworn in by Marcella Blocker and stated he had set down with Mr. Pons to discuss the aspects of the dangers of the plant. He said, in maintaining the confidentiality of the businesses, there were several businesses that posed risks in the City and County and listed the risks. He stated, after meeting with Mr. Pons, he was comfortable with the project, felt like this was a manageable risk that the fire department could manage and would have at least two inspections a year at the plant.

**Ed Bass, 407 E. 9<sup>th</sup> Avenue, Havana, FL**, appeared before the Board, was sworn in and stated he owned the Subway restaurant in Havana. He stated he averages 6-7 applications weekly, jobs were needed in this area and asked that they please not turn this man away.

Chair Croley asked the Commissioners to disclose if there had been any ex-parte conversations concerning this item.

Commissioner Holt said she had met with Mr. Pons and had requested a products list, information on safety and she asked if he opened his business here that he hire people from

Gadsden County, wanted to make sure he was community friendly and if he had a products change list, she would like to be the first to know.

Commissioner Morgan said he had met with Mr. Pons in 2012 when he was a member of the Gadsden Chamber of Commerce.

Commissioner Taylor said she also had an opportunity to meet with Mr. Pons and discuss this project with him.

Commissioner Hinson said he had met with Mr. Pons, his Wife and Mrs. Karen Bass and he had a list of questions he asked of them.

Chair Croley added that he had met Mr. Pons at a public meeting of the Gadsden County Chamber of Commerce and also disclosed that he was contacted by Mr. Mike Dorian who was opposed to this project. Chair Croley asked if anyone had questions regarding any of the testimony.

Commissioner Taylor said she had some questions to ask of Jill Jeglie and she stepped back to the podium. Commissioner Taylor asked her to repeat the list of reviews starting with EPA. Ms. Jeglie listed the City of Quincy, Fire Chief and fire department, Fire Marshal, Gadsden County Building Code and Permit department, State of Florida Fire Marshal, Local Emergency Planning Committee for Tier II review for chemical storage information, Florida Department of Environmental Protection for storage tank registration and regulation, Solid Waste Program Review, Hazardous Waste Program Review, Air permitting program review, MPDES discharge permit review, State Emergency Response Program Tier II reviews, Toxic Release Inventory review, Northwest Florida Water Management district if there are any changes to the structure for storm water review, Environmental Protection Agency toxics release inventory review, Air permitting review, and the Department of Labor Occupational Safety. Commissioner Taylor thanked the Planning Department for their review of this item. She asked if anyone spoke in favor and Jill stated Mr. Palm owned 72 acres in the area and was in favor of this business. She said the jobs would not be \$30,000 jobs but would be minimum wage jobs. She stated Mr. Pons had no intention to become a resident of the County and she was not sure that his son intended to move to the area. She asked the Commissioners did they want a company that had to have all the reviews necessary to come here and be located in front of a retirement facility. She added she would like to see this type of business move into an industrial park. Commissioner Taylor said when she asked Mr. Pons what they would do with disposed materials once they were emptied, Mr. Pons couldn't answer her question. She stated this county had more cardiovascular disease, diabetes, per capita than any other county this size. She said she was against the location of the business, not the gentleman or the business.

Commissioner Hinson asked Mr. Presnell to read aloud question 3 and the response.

"It is understood the new site owner will also be storing highly combustible fuels (LPG) and chemicals (solvents) if the BOCC approves agenda item #16. Please obtain in writing from the applicant the type and maximum quantity of these highly combustible materials that will be present on site at any given time.

The owner has provided in writing that the propane tanks should be at a minimum

10,000 gallons. The propane will be stored in smaller separate tanks rather than the entire 10,000 gallons in one tank. In addition to the propane it is anticipated that 6 tanks of 3,000 gallons each for fuel oil, lubricating oil, white spirit, alcohol, isopar and aromatic naphtha will be required. The use of these smaller tanks is dependent on the product being packaged.”

He then stated he was in a peculiar situation and stated his brother was in the same type business. He stated he had talked to a lot of individuals and he was assured it was a safe business, but at the same time, you wanted to make sure the Commissioner who represented the district had all of their questions answered.

*Commissioner Morgan stepped out at this juncture of the meeting.*

Commissioner Hinson stated at the end of the day he hoped they had answered all the questions that Commissioner Taylor had.

*Commissioner Morgan returned at this juncture of the meeting.*

He added he was playing it by ear tonight, but he felt in his heart, his brother makes these same type products and they are purchased. He added he wanted to see the jobs made available and added that while they didn’t have a home here, his son planned on staying in the area and thought this would be a plus for Gadsden County.

Commissioner Holt asked if she could call Mr. Pons forward for questions and asked what would happen with the containers that held the product and how they would be disposed of. He stated there was a company that would purchase the containers and take them off. He said the empty drums could be filled with their product and be sold as commercial products. Commissioner Holt said she felt like they were concerned that there would be stockpiling going on. She added she was concerned but Mr. Pons had reassured her of her concerns.

Mr. Pons said they were coming to Gadsden County, his son has had surgery and that was why he was not here now and this has been a long process because they started in 2012 and shared Commissioner Taylor’s concerns regarding the location. He stated he had met with the seller of the building before they closed on the building and asked if the Board would approve of the business. He stated they had looked for other buildings in Gadsden County that would fit their needs and had been unable to locate such and this building was perfect. He added they were committed to being a member of Gadsden County and hiring citizens of the county.

Commissioner Holt stated she was interested in the job factor, but was concerned about the community. She added she was in favor of this being approved tonight, but added she respected Commissioner Taylor’s opinion.

Commissioner Morgan said when this issue came before the Board previously there were two concerns he had; one being proper noticing, that issue had been met and the other being safety.

*Commissioner Holt stepped out at this juncture of the meeting.*

He added that once the potential hazards were addressed by Chief Haire he felt more

comfortable about everything. He said that he continued to support Mr. Pons' efforts and appreciated the fact that he considered Gadsden County for his place of business.

Chair Croley asked Commissioner Taylor if she had any thoughts.

Commissioner Taylor stated she would like to have the last say-so because it was her district.

*Commissioner Holt returned.*

Chair Croley said there was some confusion at the last meeting because of questions of the proper signage and notification to the public. He added that Commissioner Holt was correct in the process of the Citizens' Bill of Rights and it simply required that they only had to mail a postcard to the surrounding public and the process did not require the tenants and employees to be contacted personally. He also understood that some of the people that opposed this also passed out their own flyers and yet were not present tonight with this discussion. He added he was satisfied that requirements had been met. He stated in his line of business (commercial insurance), he was pretty well informed on the dangers of the ingredients. He added he dealt a lot with agricultural facilities and had the opportunity in July to visit the site of the explosion in West, Texas. He said the industrial facility was different from that type of facility and did not see it to be a great peril to the community. He said the last question was does it make sense from an economic development effort. He commented, when you find a facility that fits and fits your business plan and no-one comes to raise a valid complaint against it, it is hard to wish to stand in the way. He stated to Commissioner Taylor, "You, as a district commissioner, I am very hesitant to place anything in a commissioner's district they are not comfortable with. I recognize that at times you've had very serious concerns or brought up issues with citizens' growth management and planning bill of rights, but simply because it often required a super majority vote for certain things to be done. But that's part of the reason that the super majority vote requirement is there. No different than it is raising taxes or other things, because, if we don't have at over 50% of the population represented, then I'm not real sure we are getting a majority input."

Commissioner Taylor stated first of all, she heard everyone and knew pretty much the direction this was going tonight. She asked them to remember when asked about the disposal of the product; an adequate answer was not given. She said this was not a good thing to go in that neighborhood. She said the jobs were needed, but wished it could be located elsewhere. She added that Commissioner Hinson had asked Mr. Presnell to read about the amount of combustible materials that would be on that site at one time. She stated to Mr. Croley that she appreciated his professional opinion. She asked them to remember the things that happened now that normally do not happen. She wanted to go on record saying that this was not a good industry to go in that area. She asked them to remember there were 30 jobs coming and bringing \$1.5 Million and she thought that was a stretch. She said that sometimes they have to say no, this was not a good business to go in the area, and it was their job and responsibility to say so. She said she was willing to guarantee there would not be 30 jobs, there would not be \$1.5 Million revenue and this would come back to haunt them.

Chair Croley called for the vote.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, BUT**

**BEFORE THE VOTE WAS CALLED, COMMISSIONER HINSON ASKED FOR DISCUSSION.**

He asked if there were any other questions that would need to be answered before the vote was taken.

Mr. Pons returned to the podium.

Mr. Pons asked if they thought they would grow too large, if so, there were building codes and they could not build anything more without it being approved.

Chair Croley called for the vote

**THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE. Commissioner Taylor was the opposing vote with the comment "You stomp out weeds, you don't let weeds grow."**

Chair Croley called for a 5 minute recess.

Chair Croley reconvened the meeting.

**GENERAL BUSINESS**

**16. Approval to Confirm Appointment of Public Works Director**

The agenda item seeks Board confirmation of the employment of Curtis Young as the new Public Works Director.

Mr. Presnell introduced this item and said he had a few comments he would like to share and this was a story.

Chair Croley asked Mr. Young to step forward.

Mr. Presnell informed the Board that Mr. Young was born and raised in Gadsden County, FL., he started his employment with the Public Works Department in August, 1991 as a Maintenance Worker I. Mr. Presnell continued and stated every 3-5 years, Mr. Young advanced his career and was promoted. He added Mr. Young was a great asset and had been an outstanding employee. He said that even though they had advertised the position and interviewed other possibilities; the committee was unanimous in selecting Mr. Curtis Young as the next Public Works Director.

Chair Croley said that he thought everyone knew Mr. Young and knew the benefit of his hard work and dedication to the County service.

**UPON MOTION OF COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO CONFIRM CURTIS YOUNG AS THE PUBLIC WORKS DIRECTOR.**

Chair Croley asked him to state for the record his name and address and make a brief statement.

**Curtis Young, 1234 Highbridge Road, Quincy, FL**, made some statements concerning his love for the job and stated this was his passion.

Commissioner Holt said in 2007 when she was Chairman, 4 hurricanes had already hit the Gulf, and she talked with Mr. Presnell then called Franklin County and spoke to Cheryl Sanders, Chairman of Franklin County, to find out what their needs were. She informed Commissioner Holt they were not able to get up Highway 98. She called Mr. Presnell, spoke to a few of the Commissioners and they sent everything they could find to the area to assist them in clearing the roadways. She said Curtis was right there lending a helping hand with a big smile.

Commissioner Hinson stated when he was elected and met Mr. Young, he was always a true gentleman, a person that had respect from the community and whatever they could do to support his endeavors and make sure he was successful, let them know.

**17. Approval of the Original Volunteer Fire Department Interlocal Fire and Rescue Service Agreements**

This agenda item seeks Board approval of the original Interlocal Fire and Rescue Service Agreements between the County and the Concord, Chattahoochee, Greensboro, Gretna, Havana, Midway, Mt. Pleasant, Robertsville/St. Johns, Sycamore and Wetumpka Volunteer Fire Departments.

Mr. Presnell introduced the above item. He said they renewed the agreements with changes, there were some concerns with the changes, and this was the original agreements first looked at and the County Attorney approved them.

Chair Croley asked, without going into too much detail, what was the major difference in what was amended and asked if the previous vote would need to be rescinded.

Mr. Weiss stated there were a number of things he had suggested, there were issues to respect of liability, the term of the contract, he wanted to add general contractual standard language and the entities that were entering into the agreements, and the contracts were signed by fire chiefs and not signed by people who had authority, i.e., council members or someone who had authority to obligate them.

Chair Croley asked Mr. Presnell if he was satisfied and he was.

Commissioner Hinson said it would not take but a split second, if the Chair signed to give permission to go with this.

Mr. Presnell called Andre Walker, Fire Coordinator, to come forward and answer questions.

**Andre Walker, Gadsden County Fire Coordinator, 412 East Jefferson Street, Quincy, FL,** appeared before the Board.

Mr. Weiss stated this was a matter of authorization and added when they entered into a contract, the Chair would sign on behalf of the Board after it was voted on.

Commissioner Holt asked if they could approve contingent on the changes.

Commissioner Morgan said the thing to remember about the fire contracts, they had come a long way on how they were done, where the issue at hand is with this particular item was how it

was communicated and processed, this was not done the right way. He added when the attorney was asked to review the contracts, he came back with legitimate concerns that needed to be addressed that would protect the volunteer fire departments as well as the municipalities. He added they should approve this and move forward and there was a 6 month opt out phrase, put this into place and talk through some of the issues and concerns.

Commissioner Holt said she had no problem in approving this tonight contingent, didn't take special meeting or any council.

Mr. Presnell said cities operated differently than from counties, the City Manager had more authority because they were chartered.

Mr. Walker said in some instances with the fire departments, the Chief was the President because of the size of the department.

Commissioner Hinson said he agreed with what they were saying, but the Attorney had issues and they needed to make sure their ducks were in a row.

Mr. Presnell said they would double check each agreement and if one needed to be amended, it would be.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE VOLUNTEER FIRE DEPARTMENT INTERLOCAL FIRE AND RESCUE SERVICE AGREEMENTS.**

**18. Approval to Award Bid 13-11 for the Jail Locks and Hardware Replacement Project**

This agenda item seeks Board approval to award Bid No. 13-11 to C.A. Owens & Associates, Inc. to replace the jail locks at the Gadsden County Jail and to allow the Chairman to execute the contract. The construction consists of approximately 36 cell devices and 35 corridor and vestibule devices.

Mr. Presnell introduced the above item and said it sought Board approval to award Bid 13-11 to C.A. Owens & Associates to replace the jail locks at the Gadsden County Jail.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON AND COMMISSIONER HINSON ASKED FOR DISCUSSION.**

Commissioner Hinson asked how many other companies had they done work for prior to Gadsden County.

**Clyde Collins, Building Official for Gadsden County**, appeared before the Board, and stated they had done a number of jobs all over the State of Florida, in Alabama and Georgia. He added there were not that many companies that did this type of work.

Commissioner Taylor asked if this was well-spent money, with the jail being overly-populated and the boiler that needed to be fixed, if this was a good investment because there were issues there and asked if they were fixing something that was fruitless.

Chair Croley said in all the years they have been here and discussed this issue, if you look at the

building, the building was solid and good progress was being made on the needed repairs.

Mr. Presnell said steps had been taken to correct problem issues, this was a big expenditure and once this step was taken, there was a statement being made that they were correcting the jail and would stay there.

Chair Croley said there had been two meetings across the whole county spectrum and everyone had confirmed by vote to fix the issues and stay there.

Mr. Presnell said once the locks were repaired, put in another boiler, the only other remaining item was the air handlers.

Commissioner Hinson asked for the record, concerning Clemons, Rutherford and Associates, when that was bid out.

Mr. Presnell stated that was done before his time.

Commissioner Taylor asked if Mr. Lawson could confirm when this item was approved.

**Arthur Lawson, Assistant County Administrator**, appeared before the Board and said CRA had been on Board since 2006 or 2007.

Commissioner Hinson asked if they were paid monthly.

Mr. Lawson said they only invoiced for services rendered.

Commissioner Hinson said he knew they were paying almost \$500,000, and asked how much was being paid to the architect firm.

Chair Croley asked Mr. Lawson to recall the Sherriff's office was very pro regarding the RFP on behalf of this company because of their experience in working with the jails around the region and this thing has been going on for so long and has become a big liability to this county because when those officers go there, they need to be able to control the prisoners.

Commissioner Taylor said the point of the matter was the last job of CRA and was it bid out and Mr. Lawson said not that particular job, they had been put on board some time ago and this was reactivating the project.

Commissioner Taylor said this was a separate job by nature and this job should have gone out for bid.

Mr. Lawson said the standard was it would go out for bid at \$25,001 and this job was at \$25,000.

Commissioner Holt said in December, 2008, CRA was hired to look at the jail to see what would need to be done to justify \$23 Million. There were designs done and was going to be two courtrooms, virtual courtrooms, Sheriff's facility, everything was going to be at one site and the reason for the gap in time, they were deciding if more beneficial to build new facility or repair



current jail. She added something needed to be done because in one case, they shook the door and it came open. They must have locks in place.

Commissioner Morgan said there were a couple of things to consider:

- No matter whatever facility they refer to as the County Jail, they have no choice but to make it safe for the employees and the inmates;
- The real issue is having effective game plan for how to have the most efficient jail possible;
- Need to minimize liability if they stay in the existing jail;
- Minimize costs;
- Maximize potential revenue.

He added the Jail was built in 1988 for a capacity of 188, has been at or above capacity consistently all these years.

Commissioner Morgan asked the difference in the bid amounts.

Clyde Collins spoke to the Board and stated that Clyde Owens worked on the locks a few years ago and spent approximately a week looking over everything when he placed his bid.

Chair Croley asked after the bid is awarded, if they were required to post a performance bond.

The Administrator said yes.

Commissioner Taylor said she heard Commissioner Morgan when he said they needed to look at the overall picture. She added she was of the opinion the locks were a bandage on the problem. She said she was voting for this tonight because the building needed to be made safe.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE FOR APPROVAL OF THIS ITEM.**

**19. Replacement/Appointment of Member(s) to the Gadsden County Tourist Development Council**

This item seeks Board appointment to two new members.

Mr. Presnell introduced the above item and stated there were two (2) vacancies on the Council.

Chair Croley said Commissioner Holt had someone she would like to recommend in the Tourism vacancy in the Gretna area.

Commissioner Holt stated her nomination was for Mr. Clarence Jackson, and it was a one year term.

Chair Croley asked Mr. Lee Garner to come forward.

**Lee Garner, Chairman, TDC**, appeared before the Board and said they had no recommendations, they had been discussing it, but Commissioner Holt had mentioned Clarence Jackson and they had no problems with him being appointed. He stated there was a gentleman

from the Comfort Inn in Midway and that was who was recommended as the tax collector to fill the other vacancy. He said they could defer on that because there was a meeting scheduled for the 16<sup>th</sup> and they could make a recommendation at that time.

Commissioner Hinson said when reviewing the agenda, he noticed Peter Patel had resigned and he called him, they talked a few minutes and Mr. Patel told him he would like to reconsider withdrawing his resignation.

Mr. Garner said he had no problem with Mr. Peter coming back onboard; the TDC was meeting on the 16<sup>th</sup>, it could be an agenda item and be brought back at the next Board meeting.

Commissioner Morgan said he had no problem with the choice for TDC, but it would put them out of compliance with the State Statute and he could not support that. He added the Board had the information in front of them regarding the State Statutes and it laid out how the TDC was to be comprised. He further stated if they added another elected official, it would put them out of compliance with the statutes.

Chair Croley asked Mr. Weiss to read what the composition of the Board must be. As Mr. Weiss stated what the composition was, Commissioner Morgan gave them the names of the persons filling the position.

Chair Croley said he understood there needed to be two elected officials, but was there anything saying that said you couldn't have more than two elected officials.

Mr. Garner said he always had been reflected as a tax collector even though he was listed as Tourism Industry and there were 4 on the board.

Commissioner Morgan said as long as they were meeting the State Statutes, he was good with it.

Chair Croley asked Mr. Weiss's opinion regarding if the Council was legal.

Mr. Weiss stated the way he read it, "It says 'shall', it doesn't say 'at least' and it doesn't say 'at most'. I mean 'shall', I would tend to interpret this as at least to, I mean, I'm not, I would probably rather take a look and do a little research on that, because 'shall' obviously can be interpreted as 'must', I mean it is must, in terms of what 'must' means in this context, does it mean exactly two or at least two? I would tend to say it probably means at least two, but I don't know that I could tell you that with 100% certainty."

Commissioner Morgan stated with them not being under a timeline, to wait and ensure things were done the right way, let it go before the TDC and let them send the recommendation and they would approve it.

Commissioner Holt said there was no right way in government, there was just government. She added Mr. Jackson was her appointee; he was a citizen and happened to be a councilman.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THE ITEM. COMMISSIONER MORGAN**

**OPPOSED.**

**20. Approval of Financial Support for the Quincy CRA Labor Day Weekend Celebration and Concert**

This item seeks financial support of \$9,000 for the Quincy CRA Labor Day Weekend Celebration and Concert.

Mr. Presnell introduced the above item.

Commissioner Holt said the City of Quincy requested \$9,000 and TDC approved \$5,000. She added she was at this event and it was very good.

**Jack McLean, City Manager, 404 West Jefferson Street, Quincy, FL** appeared before the Board and said actually the Mainstreet Board was the one that made the request.

Commissioner Morgan said this came before the TDC Board and they have the ability to approve up to \$5,000.

Chair Croley asked if the TDC was supportive of the additional \$4,000 but didn't have the authority to approve, he had no problem with

Commissioner Morgan said there were certain guidelines they have to fall under and if they give \$9,000 to one event, there would be other events to come before them to ask for support. He added Chattahoochee was going through the steps to become a Mainstreet City.

Commissioner Taylor tended to agree with Commissioner Morgan and listening outside of City Hall, she was willing to go with the approved amount of \$5,000, but for the first time tonight, she agreed with Commissioner Morgan.

*Commissioner Morgan stepped out at this juncture of the meeting.*

*Commissioner Morgan returned at this juncture of the meeting.*

Commissioner Holt said the events should be funded and the TDC must follow the procedure all the time.

**COMMISSIONER HOLT MADE A MOTION TO APPROVE, BUT COMMISSIONER HINSON HAD COMMENTS.**

Commissioner Hinson said he was a fighter for all the communities and the difference here was when all the hotels were sold out, that was a good thing. Commissioner Hinson said if this was not approved, he would end his economic development support.

**CHAIR CROLEY ASKED IF THERE WAS A SECOND AND COMMISSIONER HINSON SECONDED THE MOTION. THE BOARD VOTED 3-2 BY VOICE VOTE. MOTION APPROVED. COMMISSIONER MORGAN AND COMMISSIONER TAYLOR OPPOSED.**

**COUNTY ADMINISTRATOR**

**21. Update on Board Requests**

Mr. Presnell said he had sent out an email regarding an ethics class for continuing education and was a conference in Tampa if they were interested.

He informed the Board that Senator Bill Nelson and staff were to be in town on Thursday, September 5<sup>th</sup> at the Jessie Furlow Center.

He informed the Board he had the Work camp meeting with the Judge and the State Attorney, it went very well and they were putting together a plan for board approval, and there would be more details to come.

He informed the Board also that Governor Rick Scott's assistant, Melody Selis, called and Mr. Presnell and Olivia went over and met with the Governor and First Lady and had a very nice dinner.

He made the Board aware that Ms. Phyllis Moore received an award for 34 years of service to the Board of County Commissioners and said she serves on the Board of the Florida Community Development Association and has for a good number of years, that she was winding down her career and her service to this Board and they presented her with this plaque to show their appreciation of her years of service.

**COUNTY ATTORNEY**

**22. Update on Various Legal Issues**

Mr. Weiss said he did not have anything unless anyone had questions for him.

Chair Croley asked for them to put together a "cheat sheet" so the Commissioners would know what their responsibilities are regarding the new Ethics law.

**DISCUSSION ITEMS BY COMMISSIONERS**

**23. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**Commissioner Taylor, District 5**

Commissioner Taylor said tonight was one of the nights when she received a shellacking, she thanked them for allowing her the opportunity to speak and they needed to respect what happened in other's district.

**Commissioner Holt, District 4**

Commissioner Holt said she learned one thing from Commissioner Taylor and asked the Administrator to look at a mile per district per year for scraping.

She mentioned she wanted to look into TDC and didn't want to get sued and added it really needed to be work shopped.

Chair Croley asked her to write up her concerns; let the Administrator review them and meet with Mr. Garner and get back with the Board.

She added the Industrial Board was another organization they needed to look at and added they were the only board that could borrow money.

**Commissioner Morgan, District 3**

Commissioner Morgan asked how the agenda was compiled and Chair Croley said it generally was put together by the Administrator and his Staff; they then email a draft to Chair Croley listing the items for review.

Mr. Presnell said there were things that had to be done to run the government and he always tried to honor the wishes of the Board.

Commissioner Morgan said he knew it was a tough job deciding what to place on the agenda and suggested having fewer agendaed items on the meetings because when it gets late into the evening, you start making not as good well thought through decisions as you would earlier in the meetings and asked in the future to limit the number of items on the agenda.

**Commissioner Hinson, Vice Chair, District 1**

Commissioner Hinson said Quincy Music Theater was having a program on September 7<sup>th</sup> featuring Nat Adderly.

He said they had discussed the library in making sure it was assessable, hours of operation were convenient, they had the right books, etc.

He thanked new Public Works Director, Curtis Young and thanked everyone for doing an outstanding job.

**Commissioner Croley, Chairman, District 2**

Chair Croley had nothing to report.

**RECEIPT AND FILE**

**September Meeting(s)**

- September 10, 2013 (1<sup>st</sup> Budget at 6:00 p.m.)
- September 17, 2013 (Regular Public Meeting at 6:00 p.m.)
- September 23, 2013 (Final Budget Hearing at 6:00 p.m.)

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING  
ADJOURNED AT 10:11 P.M.**

**GADSDEN COUNTY, FLORIDA**

**DOUGLAS M. CROLEY, Chair**

**ATTEST:**

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**Marcella Blocker, Deputy Clerk for  
NICHOLAS THOMAS, CLERK**

**AT A BUDGET HEARING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON SEPTEMBER 10, 2013 AT 6:00  
P.M., THE FOLLOWING PROCEEDING WAS HAD, VIZ:**

Present: Douglas M. Croley, Chairman-District 5  
Eric Hinson, Vice-Chair, District 1  
Gene Morgan, District 3  
Brenda Holt, District 4  
Sherrie Taylor, District 5 (phoned in after start of meeting)  
Jeff Price, Budget Director  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
Deborah Minnis, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to order at 6:00 p.m. and asked everyone to stand for the prayer and Pledge of Allegiance to the U.S. Flag. Marcella Blocker took a silent roll call.

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Croley asked if there were any amendments or corrections to the Agenda and Mr. Presnell replied there were none.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA.**

**PRESENTATION BY TOMMY BAKER OF AMBULANCE RUNS**

Mr. Presnell introduced the Public Hearing for adoption of the tentative millage rate and the tentative Budget for the 2014 fiscal year.

Chair Croley said he had requested a report on the ambulance service and would like to hear that at this time.

**Tommy Baker, Gadsden County EMS Director**, appeared before the Board; handed out a report that had been put together and made a presentation of the number of ambulance runs in the Gadsden County area. He explained the maps the Board was seeing were from data collected between February, 2013 and July, 2013.

Commissioner Morgan asked what would be done with the information at this point.

Mr. Baker said currently, it was for analysis process and they already knew where the bulk of their calls were and internally, there had been a lot of discussion of where the possible placement of another ambulance unit would be.

Mr. Presnell asked Mr. Baker to explain to the commissioners the difference between the volume in this county and the volume as compared to Jackson, Gulf or other counties and added he found it surprising.

Mr. Baker said if you looked at the total calls per month, divided them out and distributed them out amongst the ambulances, the totals were overwhelming and if you looked at the runs from Chattahoochee, if they were transported to Tallahassee, it was a three hour turn-around.

Commissioner Morgan asked if Jackson County would have longer time periods on their runs.

Mr. Baker said it would depend on the area they were in and a lot of theirs are transported to their local hospital.

Chair Croley asked the Administrator, based on what they have learned from the analysis, what was concluded and what should they be considering at this point.

Mr. Presnell said the sheer number of calls that were run per ambulance was very enlightening.

Commissioner Morgan asked if getting more ambulances would be the answer to the problem, and added that he assumed they were receiving this information because of the interest of funding an additional ambulance that Commissioner Hinson had brought up.

Chair Croley asked the Administrator what his recommendation was after this presentation.

Mr. Presnell said after talking with Mr. Baker, he thought there needed to be another unit added and that it was included in the budget.

Chair Croley stated the need was shown and was his opinion if a citizen called 911, they wanted as quick a response time as possible and with all things considered, thought the ambulance service had been doing a super job with limited resources. He further added from his standpoint, he had no problem in adding the additional unit, but as to where to place it was dictated by the needs and depended on the ambulance crew with their professional experience to assist in deciding that.

Mr. Presnell said that he would like to continue to monitor this and the need of the placement of an additional ambulance.

*Commissioner Taylor called in at this juncture of the meeting and Chair Croley brought her up-to-date on Mr. Baker's presentation.*

Chair Croley said if there were no other questions, he called for public comments or questions and there were none.

## **PUBLIC HEARING**

### **1. Public Hearing-First Budget Public Hearing for Adoption of Tentative Millage Rate and Tentative Budget for Fiscal Year 2013/2014**

**Jeff Price, Senior Management and Budget Analyst**, introduced the above item and explained they had to vote for the millage rate first and explained the 2014 tentative budget had been formulated based on maintaining the current county-wide property tax revenue of 8.9064 mills.



Chair Croley asked if there was anyone present who wished to be heard on the item and there was no-one.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO ADOPT THE COUNTYWIDE MILLAGE RATE OF 8.9064.**

Chair Croley said the next item was the budget itself.

Jeff Price said the fiscal year 2014 budget amount was \$42,953,389.

Chair Croley called for any public comments or questions and there were none.

Commissioner Taylor asked what the lists of projects were that constituted the \$700,000 transfer of funds from the reserve.

Mr. Price said there was \$300,000 for the additional ambulance unit and \$400,000 for the roof repair and chiller at the Sheriff's Department.

Commissioner Morgan said he understood the needs of what they wanted to fund, but if they were looking at funding \$700,000, they needed to look elsewhere to cut back and not pull out that amount of money from the fund balance.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, BEFORE THE VOTE WAS TAKEN, CHAIR CROLEY ASKED TO MAKE ONE COMMENT.**

Chair Croley said they needed to be careful with the cash balances, as the Clerk has warned, but he could not deny the public's need for the ambulance after looking at the provided information.

**THE BOARD VOTED 4-1 BY VOICE VOTE TO ADOPT THE BUDGET. COMMISSIONER MORGAN OPPOSED.**

Chair Croley encouraged Commissioner Morgan to meet with the Administrator to discuss his concerns regarding the costs.

Commissioner Hinson said at this point they were approving the repair of the building and chiller, but they would take no action until they receive a letter from TCC regarding the building.

Commissioner Hinson further added, from the bottom of his heart, this budget had really brought tears to his eyes and thanked everyone for their efforts.

Commissioner Taylor said she wanted to make sure the ambulance would go in the Midway/Havana area.

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 6:38 P.M.**

**GADSDEN COUNTY, FLORIDA**

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**DOUGLAS M. CROLEY, Chair  
Board of County Commissioners**

**ATTEST:**

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**NICHOLAS THOMAS, Clerk**

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON SEPTEMBER 17, 2013 AT 6:00  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

Present: Doug Croley, Chair-District 5  
Eric Hinson, Vice-Chair- District 2  
Gene Morgan, District 3  
Brenda Holt, District 4  
Sherrie Taylor (arrived late)  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
Deborah Minnis, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to Order at 6:00 p.m. He asked everyone to stand for the prayer and the Pledge of Allegiance. A silent roll call was done by Marcella Blocker, Deputy Clerk.

**AMENDMENTS AND APPROVAL OF AGENDA**

Before going forward with the meeting, Chair Croley asked to take a few minutes to draw attention to the Commissioners' Pledge of Civility that is posted on the podium and pointed out that there have been times he had heard comments made that, "If I don't get my way basically, you're going to pay for it later because I'm going to vote against you or something like that along those lines. I want to encourage us all, every one of us, let's refrain from making statements like that at times, because it really sends a wrong message to the citizens and gives them the impression that we're up here squabbling rather than doing what's right for everybody."

He then asked if there were any amendments or corrections to the agenda and there were none.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA AS PRINTED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

There were no presentations.

**CLERK OF COURTS**

**1. County Finance and County Clerk Issues**

Clerk Thomas was present and had no report.

**CONSENT**

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

**2. Approval of Minutes**

**3. Ratification of Approval to Pay County Bills**

Accounts Payable Dated: September 6<sup>th</sup> and September 13, 2013  
Payroll: September 5, 2013  
Payroll Deductions: September 5, 2013

**4. Approval and Execution of the 2013 E-911 Rural County Grant Application for Warranty and Maintenance**

**5. Approval of Contractual Services Agreement with the Department of Agriculture and Consumer Services (DACS) for Mosquito Control Funding**

**6. Approval of Resolution #2012-021 and Carry Forward Budget Amendments for FY 2013 (Grants)**

**ITEMS PULLED FOR DISCUSSION**

There were no items pulled for discussion.

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS (3 minute limit)**

There were no citizens that requested to be heard.

**PUBLIC HEARINGS**

**7. Public Hearing (Quasi-Judicial)-V-Stop, Douglas City, Variance Request (V-2013-01) Tax Parcel ID#3-09-2N-4W-0000-00212-0100**

Mr. Presnell introduced the above item and said Mr. Ed Hinson was present if there were any questions.

Chair Croley reminded everyone this was a quasi-judicial hearing and those wishing to speak would need to be sworn in.

**Ed Hinson, 510 Highland Avenue, Quincy, FL** appeared before the Board and was sworn in by Deputy Clerk, Marcella Blocker. He informed the Board that the new canopy, if approved, would be upgraded to allow for the higher wind loads.

Chair Croley asked if there was anyone present who wished to speak for or against the item and there was no-one.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE ITEM.**

**8. Public Hearing (Quasi-Judicial)-Florida Telecom Services, LLC 220' Self Supporting Lattice Tower Preliminary Site Plan (SP-2013-05) With Deviations at 39 Schwall Road, Tax Parcel #2-11-3N-2W-0000-00340-0000**

Mr. Presnell stated the attorney representing the Telecom company had requested that this item be continued until the October 15<sup>th</sup> meeting.

*Commissioner Holt stepped out at this juncture of the meeting.*

Chair Croley asked if there was anyone present who wished to speak regarding this item.

**Amy McBride, 917 Schwall Road, Havana, FL**, appeared before the Board, was sworn in by the Deputy Clerk and stated she was not here to stop this from expanding but she had asked them to do a survey regarding health issues concerning the radio-magnetic field and if they could tell her there were no dangers, it would be fine.

*Commissioner Holt returned at this juncture of the meeting.*

Chair Croley said the question she needed to respond to at this time was whether she agreed to the continuance or not.

Ms. McBride stated that she did agree to the continuance.

Chair Croley stated there was updated info and asked her if she had received same.

**Jill Jeglie, Interim Planning and Community Development Director**, appeared before the Board, was sworn in, and stated the updated report had been added to the Staff Report and had been posted to the County website. She further stated the attorney and applicant will be present at the October 15<sup>th</sup> meeting.

Chair Croley added under ex-parte communications, that both Mr. Peavy and Mrs. McBride had contacted him regarding the matter.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE IN FAVOR OF THE CONTINUANCE.**

#### **GENERAL BUSINESS**

**9. APPROVAL OF LOCAL AGENCY PROGRAM (LAP) AGREEMENT FOR PAVED SHOULDER IMPROVEMENTS & RESURFACING OF SHADY REST ROAD (CR-270) WITH PEAVY & SONS CONSTRUCTION**

Mr. Presnell introduced the above item and said this was a LAP funded project and there was no economic impact to the County.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE IN FAVOR OF THE ITEM.**

**10. REDIRECTION OF HALF CENT TAX AND TRUST REVENUES FROM CRMC TO MEDICAID IN ORDER TO TAKE ADVANTAGE OF FEDERAL MATCHING FUNDS**

Mr. Presnell introduced the above item and said this was for redirection of the half cent tax revenues.

**Michael Glazer, Esquire, Assistant County Attorney**, appeared before the Board and stated under the agreement, the State allowed funds to feed to Medicaid and this was matched dollar for dollar and was no-risk for the County.

Commissioner Holt said she did not vote for the item before because she did not see money coming back to the County and that was the reason she had a problem with this, if the money was

to be matched, the match didn't show coming back to the County.

Mr. Glazer informed the Board that, under terms of the law, the money could not come directly back to the County but returned instead to the Hospital.

**Ronnie Midget, CFO, CRMC**, appeared before the Board and said he appeared before the Board last year and in preparation of this meeting had pulled data he thought would be relevant. He explained to the Board the workings of the match fund.

Commissioner Holt said she was interested in getting funds to come back to the County, she added she was not saying they were not doing a good job, but would like to see money come back to the County.

Mr. Midget explained the match would enable them to bring the specialty clinic to the hospital and keep the level of care that they currently have.

Commissioner Morgan said this was going into the 3<sup>rd</sup> year with CRMC (Mr. Glazer pointed out it had been since June, 2007) and had heard different projections and asked if the numbers were coming in as was projected and if it was progressing into a viable partnership.

Mr. Midget said the answer was yes but was hard to clarify because so many resources were intertwined with Capital Regional and that if it were a stand-alone facility it would be different.

Commissioner Hinson asked if they could be briefed on Medicaid funding and added he would like to see a workshop held on this matter before any decision was made.

Chair Croley clarified that Mr. Glazer represented the Board and the Hospital corporation and the Hospital Board was a subset of the Board of County Commissioners.

Mr. Glazer said many years ago, the Board appointed members to the hospital board and the BOCC completely controlled the hospital Board.

Clerk Thomas clarified that the only money that GHA had was money given to them from the BOCC and added that the GHI Board had returned \$13,000 to the BOCC.

Mr. Glazer pointed out by approving the Agreement they would turn approximately \$460,000 into approximately \$920,000.

Mrs. Minnis said her firm does not double-bill, Mr. Glazer is the specialist and he handles the hospital.

Commissioner Hinson said they were paying twice as much because one attorney made more per hour than the other so essentially the Board was paying twice as much and asked again for a Medicaid workshop.

Commissioner Holt pointed out this was a time sensitive matter.

Mr. Glazer agreed this was a time-sensitive matter and added that AHCA always gets the

information out extremely late and the attorneys bring the matter before the Board as quickly as possible.

Commissioner Morgan said if they chose not to support this item, they were basically throwing out \$475,000 and at the appropriate time would like to move for approval.

Chair Croley shared there would be an opportunity when they RFP the attorney contract to discuss their billing, but they were facing a deadline with this agreement and it was time-sensitive.

Commissioner Holt stated she was in support of this and she asked when the information came in from ACHA.

**UPON MOTION OF COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4-0 BY VOICE VOTE IN FAVOR OF THE ITEM.**

Chair Croley asked Mr. Glazer if his time schedule permitted, to reach out to Commissioner Hinson so they could discuss this matter further.

*Commissioner Morgan stepped out at this juncture of the meeting.*

**11. APPROVAL AND EXECUTION OF STATE AID GRANT AGREEMENT**

Mr. Presnell introduced the above item and said this was for approval of the annual State Aid Agreements with the State for library services.

*Commissioner Morgan returned at this juncture of the meeting.*

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4-0 BY VOICE VOTE IN FAVOR OF THE ITEM.**

**12. APPOINTMENT TO THE WORKFORCE PLUS BOARD OF DIRECTORS**

Mr. Presnell introduced the above item and said this was for approval of Colleen Stanley, HR Director at Talquin Electric for appointment to the WorkForce Plus Board of Directors.

Commissioner Holt stated she would like to nominate Commissioner Hinson.

Mr. Presnell informed them it was a private sector seat.

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 BY VOICE VOTE IN FAVOR OF THE ITEM.**

**COUNTY ADMINISTRATOR**

**13. UPDATE ON BOARD REQUESTS**

Mr. Presnell informed the Board it was the time of year for the Value Adjustment Board to convene for their organizational meeting and this matter was time sensitive. He informed them that Commissioner Taylor and Commissioner Morgan had agreed to serve again on the VAB Board and needed to be re-affirmed by the Board and the Board agreed.

He reminded them that on Friday between 10:00-11:30 the Secretary of DOT would be in town for a meet and greet.

Chair Croley asked about the new ethics law regarding the meet and greets and if it posed a problem for the Commissioners to be present at the meet and greet.

*Commissioner Taylor appeared at this juncture of the meeting.*

Commissioner Holt asked that the attorney email the new ethics laws to them.

Chair Croley thanked Mr. Presnell for the email regarding the county maintained boat ramps and Mr. Presnell said the only county maintained ramp was some located at the lake and one off Iron Bridge Road. Chair Croley stated he thought there was a boat ramp on US 90 on the Gadsden County side of the River and Mr. Presnell said the County had never maintained that ramp.

Mr. Presnell added that in order to make any improvements, the County would have to take ownership of the boat ramp or enter into a long term lease in order to maintain or use the boating funds and added the County maintained the roads only.

Chair Croley asked about bids on landscaping and asked when that would be re-bid.

**Curtis Young, Public Works Director** appeared before the Board and said he had contacted Shelia and asked her to advertise it again.

#### **COUNTY ATTORNEY**

#### **14. UPDATE ON VARIOUS LEGAL ISSUES**

Mrs. Minnis said Commissioners along with several other Constitutional Officers were now required to complete four (4) hours of ethics training annually and classes would be available in the near future.

Chair Croley asked when the deadline was and Mrs. Minnis said there was nothing in the law concerning a deadline.

Commissioner Morgan asked if there would be any web-based training available and Mrs. Minnis said she would look into that.

Commissioner Taylor said she was certain FAC would have information regarding this.

She informed the Board that National Solar had executed a contract.

She also put on record that she would be requesting a private attorney-client meeting at the next board meeting regarding the Somos Uno, Inc. lawsuit.

#### **DISCUSSION ITEMS BY COMMISSIONERS**

#### **15. REPORT AND DISCUSSION ON PUBLIC ISSUES AND CONCERNS PERTAINING TO COMMISSION DISTRICTS AND GADSDEN COUNTY**



**COMMISSIONER TAYLOR, DISTRICT 5**

Commissioner Taylor said she wanted to follow up on one item with the Administrator with regard to private roads and Mr. Presnell said he met with Curtis Young last Thursday and would be presenting it to the Board in the near future.

**COMMISSIONER HOLT, DISTRICT 4**

Commissioner Holt said she had one item regarding the Economic Development Council, Small Business and Industrial Board and would like to have the Administrator look into scheduling a meeting among the groups to look into economic development possibilities for the County.

**COMMISSIONER MORGAN, District 3**

Commissioner Morgan gave a tip of the hat to the Code Enforcement Department and encouraged the Commissioners that if any of them had not seen any of the reports, to take time to do so and thought they would start seeing benefits of it.

He said the public would soon begin to see the first wave of the new county-line signage on the county roads.

*Commissioner Holt stepped out at this juncture of the meeting.*

He asked the Administrator to be prepared to discuss raises for staff at the final budget hearing on Monday, but would like to have the fiscal impact provided to the Board to have info regarding raises.

**COMMISSIONER HINSON, DISTRICT 1**

Commissioner Hinson said he had nothing to report.

**COMMISSIONER CROLEY, DISTRICT 2**

Chair Croley said they held the CRTPA meeting yesterday and gave a brief report.

*Commissioner Holt returned at this juncture of the meeting.*

He added that Gadsden Express was scheduled to be expanded in 2014 to include Gretna and Chattahoochee.

He handed out a spreadsheet of the current projects in the work plan of the County, stressed the need to get signage and landscaping in place and discussed the projects.

He mentioned the rail site and wanted to reach out to see how the rail site could improve employment in the County and mentioned the possibility of getting a locomotive training program with TCC.

He brought attention to the Little River Bridge on High Bridge Road and he added he needed more input from the Commission on how they could leverage the transportation system to create jobs.

Commissioner Taylor asked if there was list prioritizing the roads to be addressed.

Mr. Presnell said there was a list that had been done by Preble-Rish in 2011 or 2012.

Chair Croley said the problem was in the past, they were not as tied to CRTPA as they were today and they have to end up getting x number of money and have to get projects on the list and advance them to the top.

Commissioner Taylor said she wanted to figure the best way to balance this and wanted to make sure they were looking at the most critical roads in the county.

Commissioner Morgan asked about the status of lighting at the interchanges in Greensboro, Gretna and Chattahoochee.

Chair Croley said it was in the design stage, once that was done, he could push it on the list of projects.

Commissioner Hinson asked Mr. Presnell for a list of all the dirt roads and Mr. Presnell stated he would put a list together of all dirt roads broken down by districts.

*Commissioner Morgan stepped out at this juncture of the meeting.*

Commissioner Holt asked questions regarding the railroads and the loading/unloading docks.

*Commissioner Morgan returned at this juncture of the meeting.*

Mrs. Minnis said she checked the website and the on-line training had been updated and would be offered regarding the Commissioners' ethics training.

#### **RECEIPT AND FILE**

16.

a. FY2013 Administrative Budget Amendments

#### **SEPTEMBER MEETING(S)**

-September 23, 2013 (Final Budget Hearing at 6:00 p.m.)

#### **OCTOBER MEETING(S)**

-October 1, 2013 (Regular Public Meeting at 6:00 p.m.)

-October 15, 2013 (Regular Public Meeting at 6:00 p.m.)

3A

**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 7:37 P.M.

GADSDEN COUNTY, FLORIDA



DOUGLAS M. CROLEY, Chair  
Board of County Commissioners



ATTEST:



Marcella Blocker, Deputy Clerk for  
NICHOLAS THOMAS, CLERK

**AT THE FINAL BUDGET HEARING OF THE BOARD OF  
COUNTY COMMISSIONERS HELD IN AND FOR  
GADSDEN COUNTY, FLORIDA ON SEPTEMBER 23, 2013  
AT 6:00 P.M., THE FOLLOWING PROCEEDING WAS  
HAD, VIZ:**

PRESENT: Doug Croley, Chair-District 2  
Eric Hinson, Vice Chair-District 1  
Gene Morgan, District 3  
Brenda Holt, District 4  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
Debra Minnis, County Attorney  
Marcella Blocker, Deputy Clerk

Absent: Sherrie Taylor, District 5 (phoned in after meeting had adjourned)

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to Order at 6:05 p.m. and asked everyone to stand for the prayer and the Pledge of Allegiance. A silent roll call was taken by Deputy Clerk, Marcella Blocker.

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Croley asked if there were any amendments or corrections to the agenda and there were none.

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE AGENDA AS PRINTED.**

**PUBLIC HEARING**

**1. Public Hearing-Final Budget Public Hearing for Adoption of Final Millage Rate and Final Budget for Fiscal Year 2013/2014**

Mr. Presnell said there were two votes the Board needed to make, one was for the Final Millage Rate and the other for the Final Budget.

**Jeff Price, Senior Management and Budget Analyst**, read the Millage Rate aloud for the Board and stated the final Countywide millage rate was 8.9064 mils.

Chair Croley said this was a public meeting and asked if there was anyone present who wished to speak for or against the item and there was no-one.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE MILLAGE RATE OF 8.9064 MILS.**

Mr. Presnell said the second item on the agenda was the adoption of the Final Fiscal Year 2013-2014 countywide budget.

Chair Croley stated this operating budget was approximately 5.57% more than last year's total operating expenditures.

Mr. Presnell said that was correct.

Chair Croley said this was a public meeting and asked if there was anyone present who wished to speak for or against the item and there was no-one.

Commissioner Morgan said he had concerns about the budget and said he had asked the Administrator to provide information regarding employee raises and had also asked for information regarding incentives for department heads that could be taken out and moved over to cover the expenses.

Mr. Presnell stated it was the incentive program and it was a little over \$30,000 and that was where the funding would come from. He then asked Arthur Lawson to come forward to further explain.

**Arthur Lawson, Assistant County Administrator**, came forward to explain the program and said the impact would be approximately \$6,800 with the fringes and without the fringes it would be \$5,480.

Commissioner Morgan said it penalized the ones not receiving raises.

Mr. Presnell said it was an incentive program for all county staff if they devised a money-saving plan and the plan was not developed yet.

Commissioner Morgan said it was his recommendation to adjust the budget to include raises across the board so everyone would receive a raise.

Chair Croley asked Mr. Presnell questions regarding the cap on salaries and how many it would affect.

Mr. Presnell responded the cap was \$75,000 and would affect three employees.

Commissioner Morgan said he thought it sent a wrong message not to give raises to all employees across the Board.

Commissioner Holt said she was more interested in what the account was set up for and if that account was set up for incentives and for things to happen, she thought it needed to be used for incentives and for things to happen and if they wanted to do that raise, the money could be pulled from somewhere else. She added that was to be used for something extra-ordinary, i.e., bringing in money or bringing in programs.

Commissioner Hinson said he hated to get into day-to-day operations when the County Manager makes a decision because the Board did not know his rationale.

**A MOTION WAS MADE BY COMMISSIONER MORGAN TO APPROVE THE THREE POSITIONS TO BE INCLUDED IN THE RAISES. MOTION DIED FOR LACK OF SECOND.**

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 3-1 BY VOICE VOTE TO APPROVE THE FINAL BUDGET.**

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 6:20 P.M.**

**GADSDEN COUNTY, FLORIDA**

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**DOUGLAS M. CROLEY, Chair  
Board of County Commissioners**

**ATTEST:**

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**NICHOLAS THOMAS, CLERK**

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON OCTOBER 1, 2013 AT 6:00 P.M.,  
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

Present: Doug Croley, Chair-District 2  
Eric Hinson, Vice Chair-District 1 (arrived during the prayer)  
Gene Morgan-District 3  
Brenda Holt-District 4  
Sherrie Taylor-District 5  
Nicholas Thomas, Clerk of Court  
David Weiss, Assistant County Attorney  
Robert Presnell, County Administrator  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to Order at 6:00 p.m. and asked everyone to please stand for the prayer and the Pledge of Allegiance. Deputy Clerk, Marcella Blocker, took a silent roll call.

**AMENDMENTS AND APPROVAL OF AGENDA**

The following amendments were made to the agenda at the request of the County Administrator and he added that the Property Appraiser and Tax Collector were present to answer any questions:

- Add 6-A- Extension of 2013 Tax Roll pursuant to Section 197.323 F.S.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO ADD ITEM 6-A TO THE AGENDA.**

Commissioner Morgan asked to move Item 12 to Item 6-B.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO MOVE AGENDA ITEM 12 TO ITEM 6-B.**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

There were no awards, presentations or appearances.

**CLERK OF COURTS**

**1. County Finance and County Clerk Issues**

Clerk Thomas was present and had nothing to report.

**CONSENT**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD**

**VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

- 2. Approval of Minutes**  
-August 20, 2013
- 3. Ratification of Approval to Pay County Bills**
- 4. Approval of Annual Contract between Gadsden County and the Florida Department of Health for the Operation of the Gadsden County Health Department**

**ITEMS PULLED FOR DISCUSSION**

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

There were no citizens that requested to be heard.

**PUBLIC HEARINGS**

**5. Public Hearing-Escambia County Housing Finance Authority-Single Family Mortgage Revenue Bond Program for First Time HomeBuyers**

Mr. Presnell said this item had been before the Board many times.

**C.J. Pipkins, Assistant Executive Director of the Escambia County Housing Finance Authority**, appeared before the Board and explained in their last program they were involved in they provided \$47,500 worth of down-payment assistance and had helped 14 homebuyers in the last three years. She explained the current program they offered and said if the Board wished to continue participating in the program, they would need to adopt a Resolution approving that they would be able to work in this territory and this would be good for three years.

Chair Croley stated with this being a public hearing, he asked that she be sworn in by the Deputy Clerk and asked her to re-state her name and title for the record.

Chair Croley asked if there was anyone who wished to speak for or against the item and there was no-one.

Commissioner Holt asked if she had any data as to how many people from the County had applied and how many were approved.

Ms. Pipkins responded that she did not have that information, but she could contact all the lenders and gather that information.

Chair Croley asked that Ms. Pipkins gather the requested information to be provided to the Commissioners.

Commissioner Morgan thanked Ms. Pipkins for coming and said he was interested in how they were measuring the success with the program in Gadsden County. He also said in entering into the relationship with them over the next three years did not believe it limited them in pursuing any other type of housing assistance program.



Ms. Pipkins said that was correct and added that the SHIP program and other programs also take a third.

Chair Croley thanked her for coming and asked about the foreclosure rates and the values of the re-sales.

Ms. Pipkins told the Board that their housing program had been very successful and have had an 8% foreclosure rate in the last few years.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE FOR OPTION 1.**

**GENERAL BUSINESS**

**6. Approval to Confirm the Appointment of the Planning and Community Development Director**

Mr. Presnell introduced the above item.

**Arthur Lawson** appeared before the Board and gave a brief background of Ms. Gutcher and highly recommended the Board to confirm her employment.

**Allara Gutcher** appeared before the Board.

Commissioner Taylor said one thing that had been an issue had been the ability to “turn dirt quickly” and asked that a streamlined process be developed to encourage businesses to come to Gadsden County.

Commissioner Morgan said this was a great opportunity and said for some reason it seemed to be difficult for companies to do business with Gadsden County and asked how she addressed issues pertaining to that in Bay County and how she trained people to be proactive with customer service.

Ms. Gutcher said most recently with her time in Bay County she had a great staff and their whole mission was customer service, she added she believed in customer service, being polite and kind and trying to find what the win was in any given situation.

Commissioner Holt said she would have a tough time herding the Commissioners into looking into the Comprehensive Plan.

Mr. Presnell said Ms. Gutcher brings the ability to change the comprehensive plan and it be done in-house and the Board would not have to hire consultants to do so.

Commissioner Taylor suggested that after she was in for 30-45 days that she appear before the Board again with proposed changes to the Comprehensive Plan.

Chair Croley said he agreed with the other commissioners and added that the Codes were not correct, the Land Use Map was not in good order, but disagreed that the County was difficult to do business with.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE HIRING OF MS. GUTCHER.**

**6A. Extension of 2013 Tax Roll Pursuant to Section 197.323 F.S.**

**Dale Summerford, Gadsden County Tax Collector**, appeared before the Board and stated that regarding the Value Adjustment Board, petitioners needed to have 25 days' notice prior to the hearing date asked that they approve the extension of the Tax Roll prior to the completion of the Value Adjustment Board proceeding and that they sign the attached Resolution.

Chair Croley said he did not like to amend the agenda that had not been in the public for seven days before the meeting, but understood the importance of this matter.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**6B. Selection of Economic Development Services for Gadsden County (Item 12)**

Mr. Presnell introduced the above item and stated this was for selection of Economic Development Services for Gadsden County. He stated they had asked for a proposal from Gadsden Development Council and the Gadsden County Chamber of Commerce.

**Dr. Henry Grant, Secretary for the Gadsden Development Council**, appeared before the Board and said their biggest problem was they had done visioning, studies and planning for 13 years and had not been able to implement anything because of lack of money. He said they were presenting an outline of Gadsden County Development Council with their mission, plan of work, project response and management and what they intended to do as far as an activity report.

Mr. Presnell asked Dr. Grant to list the members of the re-vamped Board of the Development Council.

He listed the County, Gadsden County Chamber of Commerce, School Board, Workforce Plus, Department of Economic Opportunities, Apalachee Regional Planning Council, Talquin Electric, Focus Credit Union, and TDS.

Chair Croley asked if there were any questions.

Commissioner Morgan asked if Dr. Grant had been on the Board the entire 13 years and he replied yes. Commissioner Morgan asked how their goals and objectives changed during that time.

Dr. Grant stated they had not changed, they have had two strategic plans and none of the data had changed and they were five years apart. He added that he was not before the Board to say they had the experience, but collectively on the Board, there was the experience.

Chair Croley said out of fairness to Dr. Grant, he asked if this was the "Jackson County model" for economic development.

Dr. Grant said when this was organized, Jackson County was their model and that was the actions they had taken.

Mr. Presnell said they have a commitment from each of the municipalities to contribute financing if the County chose to pursue economic development activities with Gadsden Development Council.

Commissioner Holt said she was ready to vote.

Commissioner Morgan said if this was a different proposal than before why were they looking at something dated for 2000.

Dr. Grant said the packet was to give them history of the organization.

**Antonio Jefferson, City of Gretna**, appeared before the Board and stated their plan was relevant, members were members that represent the entire community and that now the cities were willing to put their “money where their mouth was”. He added that they felt they could do just as good a job as the Chamber, they need an opportunity, they have what it takes, have the relationships to get this done, have a great plan with a lot of people committed, but no money and would like to have the Board’s assistance.

**Jack Peacock, Volunteer Chairman for the Gadsden County Chamber of Commerce**, appeared to petition for the continuance of the existing economic development contract for the County.

Commissioners had no questions for Mr. Peacock.

Commissioner Morgan wanted to point out that they are all in agreement in what they wanted to do and in the past 5 years, the Chamber had been successful in delivering what they were to deliver. He added the Chamber has been underestimated and the Board hurt themselves by asking questions at the wrong time and how they dictate who businesses could hire, etc.

Chair Croley said the idea of economic development was very important to everyone and the importance of the municipalities being involved was very important.

Commissioner Taylor said she was trying to think of the correct department that Governor Scott had developed-DEO-they need to be at the table, there is a need to have a balanced Board and it was time to move forward with something new, something different.

Commissioner Morgan asked the Administrator the levels of relationship with municipalities in the past and with the relationship with the Economic Development arm of the Chamber there were specific requirements and they met them each time every year and was successful in doing so. He said at the appropriate would like to make a motion to approve the agreement presented by the Economic Development arm of the Chamber of Commerce. The Motion died for lack of second.

Chair Croley reminded that no-one implied the municipalities did not get to participate.

Commissioner Holt said she knew the Economic Council was dedicated in this because who would wait and work 13 years for funding.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-1 BY VOICE VOTE TO ACCEPT THE PROPOSAL PRESENTED BY THE GADSDEN**

**COUNTY DEVELOPMENT COUNCIL FOR THE ECONOMIC DEVELOPMENT SERVICES.  
COMMISSIONER MORGAN OPPOSED.**

Mr. Presnell said the Chamber was a voting member of the Development Council and would have input.

Mr. Peacock asked to address comments made by Commissioner Hinson.

Chair Croley said on behalf of the Board and County said they would be remised if they did not thank them for their efforts in keeping things in a positive way.

**7. Approval of the Appointment of Peter Patel to the Gadsden County Tourist Development Council**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

**8. Approval of the Small County Outreach Program Agreement with the Florida Department of Transportation and Resolution #2013-018 for the Widening and Resurfacing of Lewis Lane**

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

**9. Approval of Interlocal Agreements with Local Municipalities and the Gadsden County School Board for Road Maintenance and Special Projects Activities**

Mr. Presnell said this was a new, revised agreement.

Commissioner Morgan said a lot of things have changed and asked that the Administrator highlight changes and asked if quality services could be provided without losing money.

Mr. Weiss said changes were in the language not in the responsibility.

Chair Croley asked questions regarding the billing rate.

*Commissioner Morgan stepped out at this juncture of the meeting.*

*Commissioner Morgan returned at this juncture of the meeting.*

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THIS ITEM. CHAIR CROLEY OPPOSED.**

**10. Approval of Revised Fuel Services Interlocal Agreement**

Mr. Presnell explained this was a similar agreement.

Chair Croley asked how current everyone was on the bills.

Mr. Presnell stated everyone was current.

Commissioner Morgan asked if this was good business sense based on the history of fuel services. He asked If the Sheriff left, how that would impact the County, would not have money for fuel but

would not have usage also.

**COMMISSIONER HOLT MADE A MOTION FOR 10¢. BEFORE THE VOTE WAS TAKEN, COMMISSIONER MORGAN HAD QUESTIONS.**

Commissioner Morgan asked if they could consider two different rates:

- .10¢ if it was timely paid:
- .20¢ if fall behind more than 30 days.

Mr. Presnell said if it was 45 days behind, services could be terminated.

Chair Croley said there was a motion on the floor unless Commissioner Holt wished to amend her motion, that motion needed to be considered first.

Chair Croley said he would second the motion on the basis if the .10¢ covered the costs, fine.

Commissioner Holt asked what number it would take for the Sheriff to stay.

Commissioner Holt withdrew her motion.

Commissioner Morgan asked if .5¢ per gallon covered the costs of handling this business.

Mr. Presnell said no. He added that Public Works was the biggest user and somewhere between .5¢-.8¢ would cover the costs.

**COMMISSIONER MORGAN MADE A MOTION TO CHARGE .07¢ PER GALLON FOR ONES WHO PAY WITHIN 30 DAYS OR 45 DAYS BUT IF MISS 45 DAYS, TO GOES TO .20¢ PER GALLON, CHAIR CROLEY SECONDED FOR PURPOSES OF DISCUSSION. THERE WAS DISCUSSION BEFORE THE VOTE.**

Taylor said did not want to lose Sheriff and understood everyone under strains in the budget.

**CHAIR CROLEY CALLED FOR THE VOTE. THE BOARD VOTED 3-2 BY VOICE VOTE. COMMISSIONERS HOLT, HINSON AND TAYLOR OPPOSED. MOTION FAILED.**

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE .6¢/GALLON. COMMISSIONER MORGAN OPPOSED.**

**11. Approval of Real Estate Sales Contract with Capital City Bank for the Acquisition of a New EMS Facility**

Mr. Presnell introduced the above item

Commissioner Morgan moved for approval.

Commissioner Hinson said he strongly supported this item until someone opened his eyes and said a brand new facility could be built for less than \$100,000 - \$250,000 and with that he could not support this.

Commissioner Taylor did not believe a building could be built for that amount of money but thought they could get it for lot less because there was retrofitting to be done.

Mr. Presnell said he did have reservations early on regarding this and asked Tommy Baker to come before the Board.

**Tommy Baker, EMS DIRECTOR**, appeared before the Board and said a new facility had been looked at and one not as big would cost approximately \$1.2 Million.

Mr. Presnell added that the renovations would be included in the CDBG grant and was one of the reasons they thought this was attractive.

Chair Croley stated if a building was built, capital would have to be put out for it and this would be covered by a grant to pay 100% and would make good business sense to go after a building that didn't cost anything.

Commissioner Hinson said there would be closing costs and renovations to be added in.

Mr. Presnell said the renovation was covered by the grant.

Commissioner Hinson said it would be another \$100,000 plus closing costs. He added that he "was embarrassed to know that our Administrator would come to us with this proposal at this juncture, it's almost a slap in our face, it's a question of integrity really about this piece right here and personally, \$500,000, taxpayer dollars, I don't care if it's a grant, it's still taxpayer dollars, still coming from them. Everybody on this Board is supposed to be fiscal conservative, they don't like grants and they understand it's still taxpayer dollars. So, regardless how you get it, we pay taxes, that's what's going to happen. So, that's my point on it, I just can't support it. I appreciate your vision; I'm not saying 'you' talking about you in particular. I appreciate the County Administrator's vision, but I think that I don't want to spend money we don't need to spend right about now".

Chair Croley said Commissioner Morgan had a motion and called for second. Chair Croley seconded and applauded the Administrator for bring this before the Board.

Commissioner Holt asked if they could receive a grant to renovate part of hospital and renovate the old bomb shelter.

Chair Croley said with the Affordable HealthCare Act that took effect today that may not be option.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY CHAIR CROLEY, THE BOARD VOTED 3-2 BY VOICE VOTE. MOTION FAILED. COMMISSIONERS HOLT, HINSON AND TAYLOR OPPOSED.**

**12. Selection of Economic Development Services for Gadsden County Moved to 6B**

**COUNTY ADMINISTRATOR**

**13. Update on Board Requests**

Mr. Presnell said memos had been sent out regarding the ethics training.

Commissioner Hinson said he had been hearing a lot of concerns regarding Havana Heights Apartments and people were very upset, residents were unable to park in the parking lot, the parking lot was full of potholes, a new person owned building and seniors were having a hard time parking, they have to park far away.

**Clyde Collins** appeared before the Board and informed the Board renovations were going on, new electrical panels were going in every apartment and they were resurfacing the parking lot.

Chair Croley asked that the contractor be contacted to see if something could be worked out.

*Commissioner Holt stepped out at this juncture of the meeting.*

**COUNTY ATTORNEY**

**14. Update on Various Legal Issues**

Mr. Weiss informed the Board that the Legislature had enacted a dual public employment statute that states no public officer, including County Commissioners, may accept public employment with the State or any of its subdivisions if the Officer knew or should know that it is only being offered because of their position as a public officer in order to gain an advantage or influence. He also explained that there were provisions for being “grandfathered” in.

Commissioner Morgan asked with it being “any division of the State” if that meant any employment where you were invested in the State Retirement Program through that service or is that impacted at all.

Mr. Weiss stated he was not sure of the answer to that question, but he thought it meant being an employee and not contracted with the Department.

Chair Croley said this State had one of the highest numbers of public official fraud. He also mentioned that the Value Adjustment Board needed to be careful and make sure there were no odds with the Board members and any entities that came before the Board with Petitions

*Commissioner Holt returned at this juncture of the meeting.*

Commissioner Taylor asked why be placed on a Board that could cause conflict of interest for the Board member.

Commissioner Holt said it had to be where the Board member would make a profit themselves.

**15. Recess BOCC Meeting and Reconvene for a Private Attorney-Client Session**

The meeting recessed for the private attorney-client meeting.

**16. Reconvene the BOCC Meeting**

The Meeting resumed at 8:55 p.m.

**DISCUSSION ITEMS BY COMMISSIONERS**

**17. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**Commissioner Taylor, District 5**

Commissioner Taylor asked when the Plan and Growth Adoption would be coming back.

Mr. Presnell stated Mr. Young was working on that and should be before the Board in two meetings.

She asked if an RFP had been issued for District 5 for the mowing.

Mr. Presnell said it was done and opened two weeks ago and no bids were received. He added they would possibly rebid in Spring and there might be more interest then.

She asked that at the last meeting, they were looking at potential repaving projects through SCOP and wanted to make sure High Bridge Road was on that list because there has been so many fatalities on it.

**Commissioner Holt, District 4**

Commissioner Holt agreed with Commissioner Taylor about how very dangerous High Bridge Road was.

She said that on the issues of Economic Development and planning, they needed to look at the urban ring around the counties and what comes from that. They need to look at industry and look at planning for step-down models because not everyone wanted to be in an industrial park.

**Commissioner Morgan, District 3**

Commissioner Morgan thanked everyone that helped put together everything for the meetings.

He asked about tree limbs on the power line on Bonnie Hill Road and asked about trimming.

He also asked to agenda the senior services issues and how they are funded, where the centers are located, how they differ and how to move forward.

Lastly, he said Commissioner Hinson made comments on how to have a deeper investment with the Chamber of Commerce with regard to economic development.

**Commissioner Hinson, Vice Chairman, District 1**

Commissioner Hinson thanked the staff for being helpful and the Board for working so hard.

He said regarding Bainbridge College, he wanted to see what could be done to embrace everyone, added Chipola College and asked that they be allowed to make a short presentation.

He added regarding Economic Development, he would like to add to the agenda as to what form support should be taken with participation.



**Commissioner Croley, Chairman, District 2**

Chair Croley said regarding High Bridge Road, the bridge is on the list and have asked that the safety history of the road be provided to CRTPA for improvements to be made. He said they were seeing a \$16 Million project being kicked off at US 90 and Little River, Shady Rest Road and several other roads.

He asked the Administrator about canopy roads and urged commissioners to consider the remaining canopy roads and to offer protection of them.

Commissioner Hinson said this might rub people wrong way but had to say it, issue with pay raise increase, can't do-budget been adopted.

**RECEIPT AND FILE**

18. August 12, 2013 Letter from Quincy-Gadsden Airport Authority

**OCTOBER MEETING(S)**

-October 15, 2013-Regular Public Meeting 6:00 p.m.

**NOVEMBER MEETING(S)**

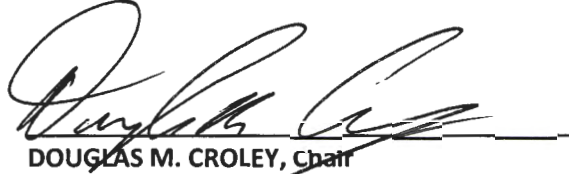
-November 5, 2013 –Regular Public Meeting 6:00 p.m.

-November 19, 2013-Regular Public Meeting 6:00 p.m.

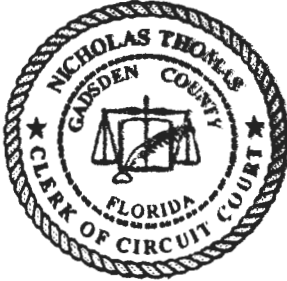
MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 9:18 P.M.

GADSDEN COUNTY, FLORIDA



DOUGLAS M. CROLEY, Chair  
Board of County Commissioners



ATTEST:



Marcella Blocker, Deputy Clerk for  
NICHOLAS THOMAS, CLERK

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON OCTOBER 15, 2013 AT 6:00  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:**       **Doug Croley, Chair – District 2**  
                  **Eric Hinson, Vice-Chair – District 1**  
                  **Brenda Holt – District 4**  
                  **Sherrie Taylor – District 5**  
                  **Nicholas Thomas, Clerk of Court**  
                  **Deborah Minnis, County Attorney**  
                  **Robert Presnell, County Administrator**  
                  **Marcella Blocker, Deputy Clerk**

**Absent:**       **Gene Morgan – District 3 (excused)**

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to order at 6:00 p.m. and asked everyone to please stand for the prayer and the Pledge of Allegiance. A silent roll call was taken by Marcella Blocker.

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Croley stated there were amendments to the Agenda and asked Mr. Presnell to please share them.

The following amendments were made:

- Move Item 15 to Item 8
- Move Item 8 to Item 8A

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 TO MOVE ITEM 15 TO ITEM 8 AND ITEM 8 TO ITEM 8A.**

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 TO APPROVE THE AGENDA AS AMENDED. ITEMS 9-14, 16 and 17.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Recognition of “Men of Distinction”**

Mr. Presnell said Mr. Hinson had a presentation for “The Men of Distinction”. Commissioner Hinson called Mr. Calvin Robinson and “The Men of Distinction” forward, gave a background history, read the Resolution to the audience and presented a Resolution to Mr. Robinson.

Mr. Robinson thanked the Commission and had a few words of appreciation to say.

**2. Dr. Richard A. Carvajal**  
**President, Bainbridge State College**

Mr. Presnell introduced Dr. Carvajal.

**Dr. Richard A. Carvajal, President of Bainbridge State College**, appeared before the Board and informed them that Bainbridge College would like to be a player in trying to improve the economic lot for the residents of Gadsden County with the programs they offer. He gave the Board a little background of what was available at the college. He also informed them that if any student from Gadsden County wished to attend Bainbridge College, they could do so at the same rate as a Georgia resident. He also said that starting next fall, they would start offering their first four year degree with a concentration specifically focused on the job needs of this area and said it's about "training local for a life that is local".

Commissioner Holt also mentioned they offered a great nursing program.

**CLERK OF COURTS**

**3. County Finance and County Clerk Issues**

Mr. Thomas spoke briefly on the potential impact with Gadsden County and the possible Federal Government shutdown and stated the County had several grants that the revenues were shared with the federal government and the State. He said if this turns into a default, the County had an outstanding commitment of approximately \$7.3 Million and contracted obligations with the Federal Government, most of which is with FDOT that could be affected and might not be reimbursed as timely as the past.

Commissioner Holt asked if there were a default, what would the Board do as far as the contracts.

Mrs. Minnis said the individual contracts would need to be reviewed to determine what the best course of response would be.

Clerk Thomas said he would email a schedule of the contracted obligations to the Commissioners.

**CONSENT**

Mr. Presnell said the Consent Agenda was before the Board. Commissioner Hinson asked to pull Item 6 for discussion.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 TO APPROVE THE AGENDA AS AMENDED.**

**4. Approval of Minutes**

-July 2, 2013 Probation Workshop

**5. Ratification of Approval to Pay County Bills**

**6. ~~Approval of the Renewal of the Services Contract with Con Techs Health & Safety to Provide Drug and Alcohol Screening Services and Training Services~~** Pulled for discussion

**ITEMS PULLED FOR DISCUSSION**

**6. Approval of the Renewal of the Services Contract with Con-Techs Health & Safety to Provide Drug and Alcohol Screening Services and Training Services**

Commissioner Hinson asked if this item had been bid out.

Mr. Arthur Lawson appeared before the Board and said the item had been bid out.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 TO APPROVE THE AGENDA AS AMENDED.**

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

**Jeff Moore, resident of Potter-Woodberry Road, Havana, FL**, appeared before the Board and said he was here regarding the widening of the road and added he had discovered that part of the design of the road was a safety concern. He added it had been discovered in talking with the engineer, there was a proposal to turn Shortcut Road into a one-way road heading North as opposed to the current two-way road.

Chair Croley thanked him for bringing this matter to the attention of the Board and said no action could be taken tonight with it being a non-agenda item. He did ask Mr. Presnell to review the matter with the design engineers and report back to the Board.

**PUBLIC HEARINGS**

**7. Public Hearing (Quasi-Judicial) Florida Telecom Services, LLC 220' Self Supporting Lattice Tower Preliminary Site Plan (SP-2013-05) with deviations, 39 Schwall Road, Tax Parcel OD #2-11-3N-2W-0000-00340-0000**

Mr. Presnell introduced the above hearing and stated it was a quasi-judicial hearing and had four deviations, which required Board approval for construction of the tower.

Chair Croley explained it was a quasi-judicial hearing and would require everyone who wished to speak to be sworn in. He asked if any commissioner had had any ex-parte communication concerning this matter and stated he had and then declared he had been contacted by Delacy Peavy, the property owner, Mr. Loughmiller, Mr. John Ruth, Angela Parrish and Amy McBride.

Commissioner Hinson stated he had had ex-parte communications with Mr. Peavy, Ms. McBride and Mr. Loughmiller as well.

**Lauralee Westine, Esquire, 800 Tarpon Woods Blvd., Suite E1, Palm Harbor, FL 34685**, appeared before the Board and asked with there being an absent commissioner would it still take a super majority vote and asked if the hearing could be continued because of the absent commissioner.

Mrs. Minnis said her understanding was there had to be a vote of four of the five commissioners and with one commissioner being absent; it would not change to a three to one vote.

Ms. Westine said there were people present to speak in favor of and was sure there were some to speak in opposition of the tower and asked that they be allowed to speak tonight so they would

not have to return but asked otherwise, that the matter be continued until the next hearing based on the absent commissioner.

Commissioner Hinson asked if there was a quorum of the Board, where in the rules did it state that it took a super majority of the commission as a whole and not of the number of commissioners present to vote.

Mrs. Minnis explained, in order to conduct a meeting, there had to be a quorum of at least three; but according to the Citizens' Bill of Rights, their rules require a super majority of the commission as a whole and not a super majority of the commissioners present.

Chair Croley stated there was a request by the attorney, on behalf of the cell tower company, to continue this matter to the next meeting.

Commissioner Hinson stated he still had questions regarding the matter of a quorum and the voting matter and asked that this be more clearly clarified.

Commissioner Holt stated she felt the citizens and people present had the right to speak at this meeting and grant the continuance because with one commissioner being absent, it was a disservice to the people present.

Commissioner Taylor said her concern was with there being no true clarity with regard to the Citizens' Bill of Rights; she was willing to have the discussion tonight and grant their continuance of the hearing only for the decision to be made at the next hearing.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-0 TO CONTINUE THE VOTE UNTIL THE NEXT MEETING.**

Ms. Westine gave a brief overview of the matter and addressed the four deviations they were requesting. She spoke on the concern of health issues, the lack of cell phone coverage in the area and added that Major Wood of the Gadsden County Sheriff's Department had mentioned to them of a murder in the area and the lack of cell phone coverage and also that their radios would not work in that area.

**Jessie C. Sears, 112 MY Street, Havana, FL 32333**, appeared before the Board and stated when they moved to the area, they had Verizon and it worked well up until several months ago and it quit working. She said she was involved in an automobile accident and placed a call to 911 and was routed to Georgia who then routed the call to Gadsden County. She asked that they please get service to the area.

**Susan Roberts, Florida Gas Transmission, 1967 Commonwealth Lane, Tallahassee, FL**, appeared before the Board and said everyone with the Company thought this was a very good idea and it was nice to know when she or anyone with her company was in the remote area, there would be reception.

**William L. Brooks, 112 MY Street, Havana, FL 32333**, said he was 68 years old, diabetic and had heart problems, if something happened, he would not be able to call for help.

**Marion Lasley, 5 Dante Court, Quincy, FL**, appeared before the Board and said the variances being asked were not minor but was major variances and she was concerned this would set precedence for future towers. She also asked that the landscaping around the tower be evergreen.

**Shirley Dowling, 72 MY Street, Havana, FL**, appeared before the Board and stated she had zero bars on her cell phone and was in support of the tower.

**Amy McBride, 737 & 917 Schwall Road, Havana, FL**, appeared before the Board and said her main concern was the health issues and when she asked, no-one could give her answers to her questions. She wanted reception to her phone but preferred her health over reception. She also stated there was a residence in close proximity to the tower closer than what had been stated.

**Jan Rogers, 10622 FL-GA Highway, Havana, FL**, appeared before the Board and spoke in support of the tower and the need of reception for cell phones in the area. He added there were folks concerned about the health issues and while he was not an expert, he has worked in the business for nearly 40 years and cell towers were not a hazard.

**Joel Vichich, 109 Bobwhite Trail, Havana, FL**, appeared before the Board and stated the last time he counted, there was approximately 112 residents in the area between Georgia and Florida and there was no reception to speak of and a person had to head toward Havana past the Hobbit Restaurant before there was any signal at all and he was in support of the tower.

Chair Croley called for any more speakers.

**Colleen Meringolo, 2425 Wayside Farm Road, Havana, FL 32333**, appeared before the Board and said she moved here in 2004, has her elderly Mother living with her and they have no reception and was very much in favor of the tower and added if you looked on the internet, it shows there is very little harm that comes from the radio-active waves and that before it gets from the top of the tower to the bottom, it dissipates and would become almost nothing.

Ms. Westine appeared before the Board for rebuttal. She said she had checked with the Deputy Clerk and it had been confirmed that no tower had been approved since 2003.

Chair Croley said they would now entertain discussion among the Commissioners and since this was located in his District, he went first. He noted that there was a serious gap in cell service in that area and the tower could help address that. He said he was satisfied that the property it was to be located on was suitable and he would like to lean hard on them to get Verizon on the tower.

Commissioner Hinson said this was an interesting situation. He added there was an occasion he needed to talk to his Wife one morning after she had left for work and time was limited because of the lack of service in the area. He added he thought things were moving in the right direction.

Commissioner Holt said they had voted to continue and asked that they move on.

Commissioner Taylor asked the Administrator to clarify the closest residence to the tower and added if she voted for this, she wanted to make sure it was a right fit for neighborhood.

**Alaura Gutcher, Planning and Community Development Director**, appeared before the Board to

answer questions posed to her concerning this matter. She read the difference in the definitions of “variance” and “deviation”.

Commissioner Hinson wanted to make sure that all of Ms. McBride’s concerns had been addressed.

Commissioner Holt wanted to make sure that it was clear to everyone that the quasi-judicial hearing would not be continued, that all of the testimony would need to be concluded at this meeting tonight.

Commissioner Taylor said she needed to know tonight if there was anyone living in close proximity of the tower.

**Willie Brown with Planning and Community Development**, appeared before the Board, said he had done the research, and did not recall any residential structures as close to the tower as was referenced by Ms. McBride.

Commissioner Taylor asked if she could call a speaker from the audience that sat on the P&Z Commission.

**Dr. Gail Bridges-Bright, P&Z Board member**, appeared before the Board to answer questions. She stated the P & Z Board’s major concern was the presenter could not give them information regarding the health issue questions but referred them to other experts or a website.

Commissioner Holt wanted clarity as to what everyone came back with, that had been cleared up and it was now time to move forward.

Ms. Westine returned to the podium and said the distance from the tower to the closest property line was 565 feet.

Commissioner Hinson asked if staff could do extensive research regarding the health issues raised tonight.

Mr. Presnell stated he had been advised that the health issues were referred to the website.

Chair Croley asked if the Commissioners had any more questions and there were none. He then asked the County Attorney the purpose of the Citizens Bill of Rights and super majority vote has to do with substantial variations, or in this case, deviations. He asked if this situation required a super majority vote.

Mrs. Minnis responded that the Citizens’ Bill of Rights did not speak to deviations, it talked about variances. She further explained that even though the Code talked about deviations, it did not give a definition for deviations and the applicant has been treated as though the Citizens’ Bill of Rights applied because they have already gone through the notices and meetings. So the Citizens’ Bill of Rights has been applied to this particular item.

Chair Croley wrapped things up, said there was the need, documentation was objectively presented about the health issue, there was a serious effort underway about co-location of having



other providers on the tower and on that basis he continued to support the effort and said that that would conclude this item.

#### **GENERAL BUSINESS**

##### **8. Approval of the Naming of the Gretna Fire Station (moved to Item 8 from Item 15)**

Mr. Presnell introduced the above item and said this was for consideration of naming the Gretna Fire Station the “Brenda A. Holt Fire Station”.

**Antonio Jefferson, City of Gretna City Manager**, appeared before the Board and asked that the building be called “The Brenda A. Holt Public Safety Complex” because they have a public safety unit and the police and fire are both located at that building.

Commissioner Taylor congratulated Commissioner Holt on this honor and said she had been diligent in the district.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY CHAIR CROLEY, THE BOARD VOTED 4-0 TO APPROVE RENAMING THE GRETNA FACILITY TO “THE BRENDA A. HOLT PUBLIC SAFETY COMPLEX”.**

Commissioner Holt thanked everyone, said she was surprised and very much appreciated the honor.

##### **8A. Family Homestead Subdivision Information Update**

Mr. Presnell introduced the above item and said it required no action, but thought it prudent to bring this item before the Commission tonight to obtain input in what they would be trying to pursue. He said this would allow someone with small acreage to be able to cut out a parcel to give to children or family members. He added they felt this was a tool that could help people better utilize their property in a reasonable way.

**Marion Lasley, 5 Dante Court, Quincy, FL**, appeared before the Board and said her question was after five years could the property be sold outside of the family and if so, her concern was then a subdivision could possibly be created and the County did not have the infrastructure for that.

Mr. Presnell clarified that this was a recommendation and any recorded or unrecorded platted subdivisions such as Wayside Farms would not eligible for this, this would apply more to larger parcels in the County, but no subdivisions would be eligible.

Chair Croley asked if there were any more comments.

Commissioner Taylor said obviously, no more land was being made, there was no decrease in population and folks were having issues with property being subdivided. She asked the Attorney if the Citizens’ Bill of Rights would apply to this as well and also if this Ordinance had been sunset, could it now be amended.

Mrs. Minnis responded if this became an amendment to the Land Use Code and the Comprehensive Plan, there would have to be a super majority vote to approve the amendment. She added that once it is amended, it could go forward.

Mr. Presnell added the Ordinance was still in the Land Development Code and they will amend it and re-enact it.

Mrs. Minnis clarified the Board would be enacting a new Ordinance, but it would be an amendment to the existing Land Use Code.

Commissioner Hinson posed the question again regarding the super majority vote and said it was the interpretation of the attorney and he did not understand it and what Mrs. Minnis had read was not clear.

Chair Croley said for the sake of moving the matter, the interpretation of the item is a separate issue from what the Administrator was presenting here, while it may have a bearing on it, the Administrator was trying to gauge if it would go forward.

Commissioner Holt said the Citizens' Bill of Rights has to be put on the ballot; the item has to come to this Board to be voted on to go on an agenda; the Commissioners vote to place it on a ballot. She said that was the way to deal with it because it took three to place it on a ballot and you must get rid of the super majority vote. She added that the Administrator needed to know if four commissioners were willing to allow them to pull out three acre tracts so people would be able to give their children land out of certain areas.

Chair Croley said he thought it was presumptuous of any of them to say what the decision might be. He added that he had met with the Administrator and Property Appraiser concerning this and his thoughts were that he recognized and appreciated when a person lived on agricultural land, they might need to assist a family member, whether they were young or old. He added the Ordinance sunset because it caused serious problems for the public. He also added he thought the Administrator had offered a reasonable compromise. He told the Administrator if he could come up with a reasonable measure, he did not see there being a problem with the super majority vote.

Commissioner Hinson stated he had sat on the P&Z board forever as a school board member and was not against the Citizens Bill of Rights on some things.

Commissioner Taylor said Chair Croley took what was presented through the family homestead subdivision and watered it down to fit his need.

Chair Croley said this has caused a problem with the public, but he had no problem with the concept.

**9. Approval and Signatures for Satisfaction of Special Assessment Lien(s) State Housing Initiative Partnership (SHIP) Program, Gadsden County Emergency Repair (ER) Program**

Mr. Presnell introduced the above item.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY CHAIR CROLEY, THE BOARD VOTED 4-0 TO APPROVE THIS MATTER.**

**10. Approval of the Construction, Engineering and Inspection Services to Stantec Consulting Services, Inc. for the Local Agency Program Project-Florida Department of Transportation-Shady**

**Rest Road (C.R. 270)**

Mr. Presnell introduced the above item.

Commissioner Taylor asked if any other road would be considered other than Shady Rest Road or Salem Road.

**UPON MOTION OF COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 TO APPROVE THIS MATTER.**

**11. Approval for Gadsden County Probation Division to Implement Court Ordered Vehicle Impoundment Program**

Mr. Presnell introduced the above item and said this and the next three items dealt with the Probation Department. He said the Judge would impound vehicles in DUI cases and the vehicles have been going to different places at \$10.00 per day per car and now would be impounded by the County and handled through the Probation Department and would be housed at the County Yard at the old jail.

Commissioner Taylor wanted to disclose she had spoken with Ms. Chancey of the Probation Department regarding this matter.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 TO APPROVE THIS MATTER.**

**12. Approval for Gadsden County Probation Division to Begin Administering Alcohol Breath Testing**

Mr. Presnell introduced the above item and said this would allow the Probation Office to administer breath tests.

Commissioner Taylor wanted to disclose she had spoken with Ms. Chancey regarding this matter also.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 TO APPROVE THIS MATTER.**

**13. Approval for Gadsden County Probation Division to Establish Victim Impact Panel**

Mr. Presnell Introduced the above item, added this would be done on Saturdays; staff would be brought in but the money brought in would go to pay for that person that worked that Saturday.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 TO APPROVE THIS MATTER.**

**14. Approval of Gadsden County Work Program Policy and Procedures**

Mr. Presnell Introduced the above item and explained people would be sentenced to the County Work Program and they would be utilized at Public Works on Fridays.

Commissioner Taylor had questions and added that Road and Bridge was not opened on Fridays. The Administrator said they would be for this program and Mr. Young would have a rotating list.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE**

**BOARD VOTED 4-0 TO APPROVE THIS MATTER.**

**15. Approval of the Naming of the Gretna Fire Station moved to #8**

**16. Somos Uno, Inc. v. City of Midway and Gadsden County/Mediation Agreement**

Mr. Presnell deferred this item to the County Attorney and Mrs. Minnis explained the mediation agreement.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, BEFORE THE VOTE WAS TAKEN, CHAIR CROLEY HAD CONCERNS.**

Chair Croley said the County would have to go to other parties, get a clear deed in order to give a quit-claim deed to Midway.

Mrs. Minnis said yes, a clean deed would be given to the County, then the work would be done and the property would then be deeded to Midway.

Chair Croley maintained his position that he thought it was a foolish action on the part of the County to round up former owners to obtain clear title to deed to the City of Midway.

Mrs. Minnis said the property had attempted to be conveyed to the County in the past and that clouded the title to begin with and the individuals were known and it would be a matter of getting a clean deed and giving same to the City of Midway.

**THE BOARD VOTED 3-1 BY VOICE VOTE TO APPROVE THIS MATTER. CHAIR CROLEY OPPOSED.**

**17. Approval of National Solar Economic Development Agreement**

Mrs. Minnis said this was the original agreement that had been executed and returned to them and she was asking for authorization to approve same and for the Chair to execute.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 TO APPROVE THIS MATTER AND TO AUTHORIZE CHAIR TO SIGN AGREEMENT.**

**COUNTY ADMINISTRATOR**

**18. Update on Board Requests**

Mr. Presnell said on October 25<sup>th</sup> at 10:00 a.m. there would be a ribbon-cutting for the remodeled Courtroom and hoped everyone would be in attendance.

He added he was working with TCC for a business forum and there was no firm date yet.

Commissioner Holt said she had received a call inviting her to a meeting on Friday night in this room. Mr. Presnell said the meeting had been cancelled. She asked to have something in place procedure wise so the Administrator handled this type of matters.

Mr. Presnell said there was an application form they used for the Courthouse and if the Board approved, they could start using the same form for their meeting chambers.

Chair Croley stated the form used for use of the Courthouse grounds could be expanded to include all county facilities.

Chair Croley asked when they could expect to see something regarding canopy roads.

Mr. Presnell said that would be forthcoming from Public Works.

#### **COUNTY ATTORNEY**

##### **19. Update on Various Legal Issues**

Mrs. Minnis reported her firm was successful in getting the hospital lawsuit dismissed.

She also stated that Mr. Glazer asked her to make the Board aware that the hospital was moving along with remodeling the space at the hospital.

#### **Discussion Items by Commissioners**

##### **20. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

###### **Commissioner Taylor, District 5**

Commissioner Taylor said she would like to revisit something the Board had voted on last meeting regarding the purchase of the old Thomas Motor Cars building for a new EMS facility. She said she was on the prevailing side and if she was in order, she did not think that particular vote had a fiscal impact and if possible, she would like to bring the matter back for further discussion. She did not understand at the time that the grant would cover everything and would like to revisit it and wanted to make sure she was in line and handling the matter in the correct way.

Ms. Minnis explained if Commissioner Taylor was certain this was what she wished to do, she could move to rescind her prior action and announce tonight or whenever she chose to do so that she would like to revisit the matter.

Mr. Presnell explained if it were not soon it would become a moot point anyway because of the deadline of applying for the grant.

Commissioner Taylor said she would like to address it at the very next meeting they had five commissioners present.

Chair Croley said he thought there could be an item to rescind and have an item to vote to place it on the agenda.

Commissioner Hinson said the County Manager was not straightforward that there was a gas tank located on the property.

Commissioner Taylor said that the gas tank becomes the problem of the Bank and it could be part of the stipulation regarding the purchase of the property and she was looking at the alternative and taking care of the citizens. She added she simply wanted to bring this matter back up for discussion.

Mrs. Minnis said there were a couple of ways to handle this under Roberts' Rules of Order to do reconsideration and it has to be done at the same meeting and explained how Commissioner Taylor could handle it.

**COMMISSIONER TAYLOR MADE A MOTION TO RESCIND HER VOTE AND HAVE ITEM PLACED ON THE AGENDA AT NEXT MEETING TO HAVE VOTE RESCINDED AND TO HAVE PLACED ON AGENDA FOR ACTION. BEFORE VOTE WAS TAKEN, COMMISSIONER HINSON CALLED FOR DISCUSSION. CHAIR CROLEY SECONDED THE MOTION. COMMISSIONER HOLT CALLED FOR DISCUSSION.**

Commissioner Holt had a question and asked if the grant was applied for, it would be in the County's name and therefore any restoration of the tank would have to be done before the grant was used.

Commissioner Taylor said she had thought about the hospital, but then thought about the expansion of the hospital to use it for what it was originally meant to be used for, a full-time hospital. She said she would not withdraw her motion now, but would wait until the full Board was present.

She said she understood the Sheriff planned to do something on Breast Cancer Awareness with some type of walk from the west side of the County to the east.

She stated to Commissioner Croley that she knew the importance of moving the agenda, but felt a little amiss when the young men were present and thought they needed to be mindful, and felt they may have missed an opportunity and may have made them feel uncomfortable in coming here and speaking to the Board.

**Commissioner Holt, District 4**

Commissioner Holt said on the issue of use of the facility, it was fine if Mr. Presnell used the same uniform application as was used for the Courthouse.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY CHAIR CROLEY, THE BOARD VOTED 4-0 TO HAVE ADMINISTRATOR PUT UNIFORM APPLICATION BE PUT IN PLACE FOR USE OF ALL COUNTY FACILITIES.**

She said she had mentioned earlier putting the Citizens Bill of Rights on the agenda for a vote to have placed on the ballot.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON. BEFORE THE VOTE WAS TAKEN, CHAIR CROLEY STATED THE ATTORNEY HAD ALREADY POINTED OUT IT COULD NOT LEGALLY BE DONE AND THEN CALLED FOR THE VOTE. THE BOARD VOTED 3-1 TO HAVE THE CITIZENS' BILL OF RIGHTS PLACED ON AGENDA FOR VOTE TO PLACE ON BALLOT. CHAIR CROLEY OPPOSED.**

She added there was a need to address Commissioners in attendance. Chair Croley stated this was not a chartered County, but was a constitutional county. Unless any Commissioner missed enough meetings or failed to participate in enough meetings and a complaint is made to Governor's office, he supposed they could be suspended until there has been an investigation, but he was not aware

of anything that gave them the authority to say they have to attend the meeting.

Mrs. Minnis said there was no ordinance or policy or procedure in place.

**COMMISSIONER HOLT MADE MOTION TO PLACE ON AGENDA ITEM FOR ORDINANCE TO REQUIRE OR LOOK AT ATTENDANCE OF COUNTY COMMISSIONERS. MOTION DIED FOR LACK OF SECOND.**

She said the reason she brought this matter up, if there are meetings where people come to look at legal items that are on the agenda, you put yourself at risk, and lives are placed on hold if the Commissioners were not at the meeting.

She then discussed the jail, and said the Board was responsible for the jail and its operation and wondered how liable they were with the goings on there and did not want to see something on television and then find out about it later.

**Commissioner Morgan, District 3**

**Commissioner Hinson, Vice-Chairman, District 1**

Commissioner Hinson said he agreed with the Commissioner and in the future, they needed to look at Public Works and the need of widening High Bridge Road.

He added that regarding the Alzheimer's Project, he had spoken with the Sheriff and there was a strong need for bracelets for Alzheimer's patients in this County.

He also asked that they be sensitive to visitors and felt slapped in the face being rushed tonight and they needed to treat guests like human beings and with respect.

**Commissioner Croley, Chairman, District 2**

Chair Croley said he had filed with Clerk's office his Certificate of Completion of his ethics course.

He asked Commissioner Taylor about the Canteen fund at the Jail, and since she was the last Board appointee asked for an update.

She said it had been approximately two years since they had met, she thought Chair Croley was now on the Board since he had been present for the meeting regarding the jail locks and said they needed to meet.

Chair Croley asked that the item be placed on the agenda and be addressed because it was a statutory requirement.

He wanted to address the length of the meetings. He said it was 9:55 p.m.; staff sitting out there was worn out along with everybody else. He asked the Administrator when having quasi-judicial meetings, to be mindful of items placed on the agenda. In the future, when there are presentations and they want to spend more time on them, to allow more time, but he did not want to do it with this kind of agenda.

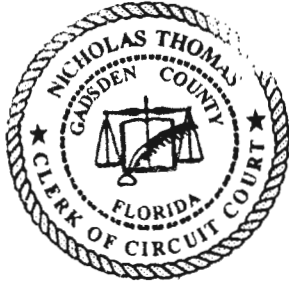
**RECEIPT AND FILE**

**NOVEMBER(S) MEETINGS**

- November 5, 2013, Regular Meeting, 6:00 p.m.
- November 19, 2013, Regular Meeting, 6:00 p.m.

**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 9:56 P.M.



ATTEST:

Marcella Blocker, Deputy Clerk for  
NICHOLAS THOMAS, CLERK

~~DOUGLAS M. CROLEY~~, Chair  
Board of County Commissioners  
Eric F. Hinson



**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON NOVEMBER 5, 2013 AT 6:00  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ**

Present: Doug Croley, Chair, District 2  
Eric Hinson, Vice Chair, District 1  
Gene Morgan, District 3  
Brenda Holt, District 4 (arrived late)  
Sherrie Taylor, District 5  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to Order at 6:00 p.m. He asked if anyone wished to speak on any non-agenda items, to please complete a Speaker Request Form and turn them into the Clerk. He then asked everyone to stand for the Invocation and the Pledge of Allegiance. Deputy Clerk, Marcella Blocker took a silent roll call.

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Croley asked if there were any amendments or additions to the Agenda. Mr. Presnell requested addition of Item 21-A Request for Funding to Assist the Disabled American Veterans in Purchasing a New Van.

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO AMEND THE AGENDA TO ADD ITEM 21-A.**

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Florida Housing Coalition Presentation**

**Jaimie Ross, Director of Florida Housing Coalition**, appeared before the Board to present an award to Phyllis Moore for State-Wide recognition of Florida's outstanding SHIP administrator for her involvement in the SHIP program. She said Gadsden County has been the go-to community for an example of what a SHIP success looks like.

Chair Croley asked Ms. Moore to come forward and asked everyone to please stand and give her "a Gadsden County standing ovation".

**Phyllis Moore**

“They got me, they set me up. I actually cried. But you know what, I give it all to God, he’s the one who has made all this possible. I have to continue to trust in Him and have to continue to do what’s needed in Gadsden County. It’s all about the residents and families of Gadsden County. It’s not about you and it’s not about me, it’s about the need of the people. Thank you all.”

The Commissioners had a few words to say to Ms. Moore.

## **CLERK OF COURTS**

### **2. County Finance and County Clerk Issues**

Mr. Thomas was not present and there was nothing to report.

## **CONSENT**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

### **3. Approval of Minutes**

- A. September 17, 2013, Regular Meeting
- B. October 1, 2013, Regular Meeting

### **4. Ratification of Approval to Pay County Bills**

### **5. Approval of County Commissioner Hinson’s Travel to the 2013-2014 Florida Association of Counties Legislative Conference**

### **6. Approval and Signature(s) for Satisfaction of Special Assessment Lien(s) State Housing Initiative Partnership (SHIP) Program**

### **7. Approval of Request for Gadsden County Probation Division to Conduct Court Ordered Theft Classes**

### **8. Approval of Request for Gadsden County Probation to Conduct Court Ordered Bad Check Classes**

### **9. Approval to Apply for the Assistance to Firefighters Grant (AFG) to Purchase Cardiac Monitors**

### **10. Public Officials Bond Reviews**

### **11. Appointment to the WORKFORCE plus Board of Directors**

### **12. 2013-2014 EMS County Award Grant Funds**

### **13. Approval of Medical Director Contract**

## **ITEMS PULLED FOR DISCUSSION**

**CITIZENS REQUESTING TO BE HEARD**

**Ed Allen, Lake Talquin**, appeared before the Board regarding the Comprehensive Plan. He said the County had spent \$150,000 on consultants going through the ear amendments. Planning and Zoning had passed amendments and they are floating around somewhere.

Chair Croley asked Mr. Presnell to look into this matter.

Mr. Presnell said Allara Gutcher, the new Director and he could meet with him and bring him up to speed. He also informed everyone that they had gone through the changes, there were some things that needed some "fine-tuning" and they would be coming before the Board in the near future.

**PUBLIC HEARINGS**

**14. Continuance of October 15, 2013 Public Hearing (Quasi-Judicial)-Florida Telecom Services, LLC 220' Self Supporting Lattice Tower Preliminary Site Plan (SP-2013-05) with deviations, 39 Schwall Road, Tax Parcel ID#-2-11-3N-2W-0000-00340-0000**

Mr. Presnell introduced the item and said this was a continuance of the October 15<sup>th</sup> hearing.

Chair Croley said this was continued for the purpose of voting only.

**UPON MOTION BY CHAIR CROLEY AND SECOND BY COMMISSIONER MORGAN SUBJECT TO THE REQUIRED DEVIATIONS, BEFORE THE BOARD VOTED COMMISSIONER HINSON CALLED FOR DISCUSSION.**

Commissioner Hinson wanted to make sure that Ms. McBride's concerns were addressed regarding the health concerns.

Commissioner Holt said she did not have a problem with the placement of the tower, but thought if reception was not available, people could get a land line.

Chair Croley called for the vote and the Board voted 5-0 by voice vote to approve the item.

**GENERAL BUSINESS**

**15. Approval of Second Amendment to the Lease Agreement for the Development of Physician Office Space in the Hospital**

Mr. Presnell introduced the above item.

**Mike Glazer, Ausley Law Firm**, appeared before the Board and explained the build-out of the office space for physicians and said everything should be completed within the next few weeks. He further stated they would be paying \$1,000 per month rent and would have a surgeon, cardiologist and ob-gyn to use the space on a rotating basis.

Commissioner Holt asked the pros and cons for the County and Mr. Glazer explained.

Commissioner Taylor asked who was responsible for the utility bill.

Mr. Glazer said the hospital would be.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON ,  
THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS MATTER**

**16. The Small County Road Assistance Program (Woodward Road)**

Mr. Presnell introduced the above item and said it was seeking Board direction. He added the road suffered "reflective cracking" and FDOT had approved a new product that could be used to prevent this. It was recommended that this project be re-bid to add the crack relief to the bid.

Commissioner Taylor asked what district the road was in.

The Administrator told her it was located in District 2.

**Justin Ford, Preble-Rish**, appeared before the Board to address questions the commissioners had.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE  
BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS MATTER**

**17. Renewal of Contract for State Lobbying Services for Fiscal Year 2013-2014**

Mr. Presnell introduced the above item and stated this was seeking Board direction or approval on the item.

Commissioner Holt stated she understood everything would be put out for bid.

Commissioner Hinson said the contract for the Medical Director had been approved as well and had not been put out for bid.

Commissioner Taylor said that was almost a "sole-source" contract.

Commissioner Holt said she had no problem in approving this item and they needed to be on board in time for the next legislative session.

Chair Croley said Commissioner Taylor was correct, the Board had directed that contracts be put out for bid.

Mr. Presnell said contracts for legal, engineering and auditing would be going out for bid starting in January being staggered each month.

There was discussion among the Board regarding this item.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THIS MATTER. COMMISSIONER TAYLOR OPPOSED.**

**18. Approval of Amended License Agreements for Wireless Communication Equipment Facilities with the Florida Rural Broadband Alliance, Inc.**

Mr. Presnell introduced the above item and said the Board had contracted with them in 2010 and this would extend the contract.

**JIM BROOK, Executive Director**, appeared before the Board.

Commissioner Morgan had questions for Mr. Brook and asked him to further expound on this matter for the benefit of the Board. He stated there were other counties involved asked if he would be appearing before them as well.

Mr. Brook stated he would be and explained the program to the Commissioners.

Chair Croley had questions and concerns.

Mr. Brook offered to come back before the Board and update them from time to time.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS MATTER**

**19. Commissioner Appointment to Inmate Commissary and Welfare Funds Committee**

Mr. Presnell introduced the above item.

Chair Croley stated for the record that Commissioner Taylor had previously served on this Board and stated he understood that she wished to be removed.

She stated that was correct.

Chair Croley then asked Commissioner Holt if she would serve on the Board and she stated she would.

**UPON MOTION BY CHAIR CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS MATTER.**

**20. Approval for Funding of The Gadsden County Small Business Service Center**

Mr. Presnell introduced the above item and said currently it was funded through the Gadsden County Chamber of Commerce, but there had been changes in economic development and funding this year and they were seeking direction for the programing.

**DAVID GARDNER, Gadsden County Chamber of Commerce**, appeared before the Board.

Commissioner Hinson said he strongly supported the Chamber, but during the budget session, they decided to give money to one certain group. He said he was for enhancing the Chamber.

Commissioner Morgan said this program has been very successful and did not understand why they would consider changing anything.

Commissioner Holt said she was in favor of moving this under one group, that she has had problems with funding the Chamber in the past because of their reporting.

Commissioner Taylor said they needed to look at where this program was best functioned. She added she did not want to do anything to take away from this program because it has helped small businesses.

Chair Croley said it sounded like everyone was in agreement that the program had been a good program and asked that they leave this program in place this year with the Chamber and once everything was in place with the Gadsden County Economic Council, to move it then.

There was more discussion among the Board.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS MATTER.**

**21. Continuation of Agreement Between Gadsden County Tourist Development Council and Legacy Marketing, Inc.**

Mr. Presnell introduced the above item.

**Matt Thro, Vice Chair, TDC**, appeared before the Board and said they felt there had been a good response and asked that they continue the contract.

Chair Croley said there was no recommendation from the TDC and asked if this could be reconsidered at the next meeting and the TDC formally make a recommendation.

Commissioner Morgan said he thought the TDC needed to make a formal recommendation and bring this back before the Board.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO TABLE THIS ACTION TO HAVE TDC MAKE A FORMAL RECOMMENDATION AND BRING IT BACK TO THE BOARD.**

**21a Request for Funding to Assist the Disabled American Veterans in Purchasing a New Van**

Mr. Presnell introduced the above item and stated this was a request to assist the Disabled American Veterans in funding for a new van. He stated the County's share would be \$2,107.63.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**COUNTY ADMINISTRATOR**

**22. Update on Board Requests**

Mr. Presnell reminded the Board that the Veterans Day celebration would be held Monday at 11:00 a.m. at the Courthouse and there would be a fish fry.

He informed the Board there would be a meeting of the Gadsden County Stakeholders' Conversation on Tuesday, November 12th. He said TCC along with WorkForce Development and WorkForce plus will bring in some folks and help put this together.

Commissioner Morgan asked for an update on Code Enforcement.

Mr. Presnell said it was moving right along and everyone had received status updates in their district.

**COUNTY ATTORNEY**

**23. Update on Various Legal Issues**

David Weiss said he had received a call from the Leon County Attorney following up on a conversation from approximately a year ago concerning discharges going into Lake Talquin and expounded on that conversation.

*Commissioner Hinson stepped out at this juncture of the meeting.*

Chair Croley said there were a lot of Gadsden County folks that worked at the mine in Georgia and at the BASF plant and there was further discussion among the board regarding this matter.

*Commissioner Hinson returned at this juncture of the meeting.*

Commissioner Taylor said this did concern her with the lake being located in her district and would like to hear from BASF and that one of the biggest commodities in this County was the lake. She was interested in hearing both sides of this matter.

Commissioner Holt said she thought this matter merited a workshop.

**DISCUSSION ITEMS BY COMMISSIONERS**

**24. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**Commissioner Taylor, District 5**

Commissioner Taylor talked about the Chamber, said the budget had been established, there was a need for good strong language before putting this in place and this needed to be placed on the agenda and have them appear before the Board for a regular update.

**Roads**

She asked for a list of approved roads for paving because it was so one-sided and she was looking for a road outside of District 2 to be on the list.

**Contracts**

She thought it was specific before, but thought all contracts needed to be bid out.

**Commissioner Holt, District 4**

She said regarding the Economic Development issue, it was wise to look at citizen input to find out what they needed.

She made a motion to have the manager look into town hall meetings like had been done in the past.

Chair Croley said the Economic Development council was made up of representatives from the County.

Commissioner Taylor seconded the motion and the Board voted 5-0 by voice vote to have it placed on the agenda for them to discuss.

She said they needed to look at the umbrella of economic development and structure and who was responsible for what.

She mentioned the Food Share give-away and how sad it was to see the number of folks lined up to receive the food that was being given away.

**Commissioner Morgan, District 3**

Commissioner Morgan said he had nothing to report

**Commissioner Hinson, Vice Chairman, District 1**

Commissioner Hinson wanted to discuss the travel for Commissioners and did not think it needed to be an agenda item because it let everyone know when someone was out of town. He said when he first came on board, this matter came up and he had spoken with commissioners in other areas and it was not handled in the manner it was with this Board. He added he was on the school board for 8 years and that it was handled differently with them.

**UPON MOTION OF COMMISSIONER HINSON AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO HAVE THE TRAVEL POLICY PLACED ON THE AGENDA FOR DISCUSSION.**

He also said there was a need to figure out our "claim to fame" for the county and focus on it.

**Commissioner Croley, Chairman, District 2**

Chair Croley reported to Commission they had voted to seek funding for a new agriculture facility and good progress was being made.

**RECEIPT AND FILE**

**NOVEMBER MEETING(S)**

-November 19, 2013, Regular Meeting, 6:00 p.m.



Gadsden County Board of County Commissioners  
November 5, 2013-Regular Public Meeting

**DECEMBER MEETING(S)**

- December 3, 2013, Regular Meeting, 6:00 p.m.
- December 17, 2013, Regular Meeting, 6:00 p.m.

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR CROLEY DECLARED THE MEETING ADJOURNED AT 8:03 P.M.**

**GADSDEN COUNTY, FLORIDA**

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**DOUGLAS M. CROLEY, Chair**  
**Board of County Commissioners**

**ATTEST:**

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**NICHOLAS THOMAS, Clerk**

AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON NOVEMBER 19, 2013 AT 6:00  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:

Present: Eric Hinson, District 1-Outgoing Vice Chairman  
Doug Croley, District 2-Outgoing Chairman  
Gene Morgan, District 3  
Brenda Holt, District 4  
Sherrie Taylor, District 5  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to Order at 6:01 p.m. and asked everyone to please stand for the Invocation and the Pledge of Allegiance to the U. S. Flag. A silent roll call was taken by Marcella Blocker, Deputy Clerk.

**AMENDMENTS AND APPROVAL OF AGENDA**

UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS PRINTED.

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Election of the Chairman and Vice Chairman**

Mr. Presnell introduced the above item.

Commissioner Holt nominated Commissioner Hinson and he accepted. Commissioner Morgan nominated Commissioner Croley. Commissioner Croley declared if Commissioner Hinson wished to serve, he did not want to stand in his way and withdrew the nomination. Commissioner Morgan then seconded Commissioner Holt's nomination.

**THE BOARD VOTED 5-0 BY VOICE VOTE IN FAVOR OF THE NOMINATION OF COMMISSIONER HINSON AS CHAIR.**

Chair Hinson then opened the floor for nominations for Vice Chair. Commissioner Taylor nominated Commissioner Holt. Commissioner Morgan seconded.

**THE BOARD VOTED 5-0 BY VOICE VOTE IN FAVOR OF THE NOMINATION OF COMMISSIONER HOLT AS VICE CHAIR.**

Chair Hinson thanked Commissioner Croley for an outstanding job last year on his term as Chair.

**CLERK OF COURTS**

**2. County Finance and County Clerk Issues**

Clerk Thomas said tonight he had no report but would have a recap at the next meeting.

**CONSENT**

Commissioner Croley asked to pull Item 5 for discussion.

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 TO APPROVE ITEMS 3, 4, 6-9 OF THE AGENDA.**

**3. Approval of Minutes:**

- October 15, 2013 Regular Meeting
- October 21, 2013 Value Adjustment Board Meeting

**4. Ratification of Approval to Pay County Bills**

**~~5. Approval of the 2014 Holiday Schedule~~ Pulled for discussion.**

**6. Approval to Dispose of Surplus Property and Equipment**

**7. Approval of Library Plan of Service 2013-2014**

**8. Approval of an Interlocal Agreement with the City of Chattahoochee for the Paving of River Landing Road**

**9. Approval to Apply for the Assistance to Firefighters Grant**

**ITEMS PULLED FOR DISCUSSION**

**5 Approval of the 2014 Holiday Schedule**

Commissioner Croley said It was his opinion that twelve holidays were excessive and he could live with eleven.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-1 TO APPROVE ITEM 5. COMMISSIONER CROLEY OPPOSED.**

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

There were no citizens requesting to speak.

**PUBLIC HEARINGS**

**10. PUBLIC HEARING-APPROVAL OF CLOSE-OUT BUDGET AMENDMENTS FOR FY 2013**

Mr. Presnell introduced the above item and said it was for Board approval of the close-out budget amendments for 2013. He further explained this was a clean-up item and this was done each year to close out the last year's budget. Chair Hinson announced this was a public hearing and asked if anyone wished to speak regarding this matter and there was no-one.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 TO APPROVE THIS ITEM.**

**GENERAL BUSINESS**

**11. Approval of Request for Information System Contract**

Mr. Presnell introduced the above item and said the item was seeking board approval to purchase software for the Probation Department. He added it had been discussed to streamline the operation to make it more efficient and this was the platform chosen.

Commissioner Taylor had questions regarding the contract.

**Martha Chancey, Probation Division Manager** appeared before the Board to answer questions the Commissioners had. She explained there would be two payment installments of \$9,250 and after then there would be an annual fee of \$2,400 for maintenance.

Commissioner Morgan said several months ago they held a workshop pertaining to the privatization of the probation department and a company came in for the presentation. The Board found they were short-changing the Probation Department by them not having everything they needed to do their job to be best of their ability.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**12. Approval of Economic Development Professional Services Contract**

Mr. Presnell introduced the above item and said it was for approval of the contract that they had instructed the Economic Council to proceed with.

**Mr. Howard McKinnon, Vice-Chair of the Gadsden County Economic Development Council, 207 Fairway Drive, Havana, FL,** appeared before the Board and said a contract was before them for approval, that they had previously approved the concept for funding of the Gadsden County Development Council and he was present to answer any questions they might have and to ask that they approve the contract.

Commissioner Morgan had questions for Mr. McKinnon and he responded to them. Commissioner Morgan asked specifically about the number of jobs to be produced for the year and said that was not included in the agreement. He mentioned to the Board that might be something they would want to add at a later date.

Commissioner Holt said she had spoken with Mr. Presnell concerning the agreement and she was looking for someone committed to bringing jobs to the County.

Commissioner Taylor had comments regarding the Council and added they needed to schedule a meeting with the Council to accomplish some of their goals.

Mr. McKinnon introduced **Ms. Beth Kirkland, 3950 Shumard Oak Blvd., Tallahassee, FL,** as the new Director and she appeared before the Board and had a few words. Ms. Kirkland stated that economic development was a "team-sport" and it would take all of the stakeholders in the

community, both public and private, to execute the plan that would be developed.

Commissioner Croley said the Commission had made a decision to go in a different direction rather than contract with the Chamber of Commerce as had been done previously, and it was a decision he supported. He wanted to make sure everyone understood the Board was contracting with the Gadsden County Development Council, Inc. and not contracting with Ms. Kirkland.

Mr. McKinnon clarified that they had not entered into a contract at this point with Ms. Kirkland because it hinged on what happened with the Council and the Board, but they felt the sense of urgency and started things in motion.

**UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER TAYLOR WITH A REQUEST THAT THE CONTRACT BE AMENDED TO HAVE REPORTS EVERY TWO MONTHS AS OPPOSED TO QUARTERLY. BEFORE THE VOTE WAS TAKEN, THERE WAS DISCUSSION AMONG THE BOARD.**

Commissioner Croley stated he was not interested in amending the motion because they would have a representative on the Council being Mr. Presnell and he would make sure there were reports on a timely basis. He added that the scope of the work was set forth, the contract was ready, it could be signed and move forward, but if it was amended, it would need to be re-worked. He suggested moving forward and if Commissioner Taylor wanted to make a motion to have the reports on a different basis, he did not have a problem with that.

Commissioner Morgan said he wanted to clarify that the previous group that had the contract did provide quarterly emails and reports on a timely basis. He said that in the future on every agenda; why not add an economic development item for activity ahead of the consent agenda.

**THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE ITEM 12.**

**UPON MOTION BY COMMISSIONER TAYLOR TO AMEND THE REPORTING TO EVERY TWO MONTHS AND HAVE IT AGENDAED AS SUCH AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-1 BY VOICE VOTE. COMMISSIONER CROLEY OPPOSED.**

**13. Accepting Existing Non-Maintained Roads into the County Road System**

Mr. Presnell introduced the above item and said the Board had asked staff to look into the possibility of accepting existing private roads for maintenance to become county roads and it was before the Board tonight for further direction on that process.

Commissioner Taylor said this was one she asked to have on the agenda to look at, but the way it was written, it was not in a positive light and was not fair. There were a lot of private roads on the list and she was looking for a benefit as opposed to it being a cost issue.

Mr. Presnell said a number of the roads on the list would have to have trees removed, culverts installed, the roads built up and it was a concern to the Public Works Director, but they did not know what roads the Commissioners would pick. He explained the steps that would need to be taken regarding the process.



Commissioner Holt said she was interested in this matter.

Commissioner Morgan said he hoped everyone was listening to the conversation because they were talking about a tremendous initial cost for the county to do this and beyond that, the upkeep would be tremendous as well and would be a “disaster in the making” from a financial standpoint. He pointed out, once again, that “we are a broke, rural county” and the funds were not there to entertain something like this. He cautioned the Board that this was not a project for a County of our size to undertake.

Chair Hinson said he was not endorsing Commissioner Croley or Commissioner Holt, but the county was not broke and was in pretty good shape.

Commissioner Holt asked how much was still owed on the road paving bond.

Mr. Presnell said there were three more payments due, it had just been refinanced and the amount was around \$650,000 that was owed.

Commissioner Taylor suggested that each Commissioner submit a road for Staff to look into for paving, let the Administrator review it and then they could make a more informed decision.

Chair Hinson asked for the pros and cons with the paving.

Mr. Presnell said pros would be helping the folks that lived on the roads, he could name roads that could be graded and maintained if they were not talking about paving. He added that some would be expensive with regards of having to build them up in order to pave.

Commissioner Croley said people that bought property and lived on county roads are expecting them to be maintained and that was not always happening because the resources were not there. He reminded them they were not an isolated county, but they were part of the MPO (Metropolitan Planning Organization). He advised them that “fools rush in where angels fear to tread” and cautioned them to be careful where they go rushing into because he was afraid they were opening up a Pandora’s box that they had not thought about.

There was discussion around the Board concerning the paving of roads and the process in place.

Chair Hinson asked if they wished to table the matter and Commissioner Taylor said no, the Administrator was looking for direction.

Commissioner Croley asked that they look at all the private subdivisions that maintain their own roads because all the subdivisions were not included on the list.

**14. Randolph & Johnette Kyllonen, Parcel ID #: 2-27-3N-5W-0000-00330100/Code Enforcement**

Mr. Presnell introduced the above item and asked for direction from the Board for correction of a code violation on the property owned by the Kyllonens that was located at 7365 Hardaway Highway, Chattahoochee, FL. He explained they had been cited and had been sent a Notice to Appear before the Magistrate. The property owners have thusfar failed to comply with the Order and staff was looking for direction from the Board on whether to take action to correct the violation.

Mr. Weiss explained the Code Enforcement process, the property owners had not corrected the violation within the allotted timeframe, and a hearing had taken place before the Magistrate. He added that the cost of the clean-up could be imposed in addition to fines and administrative costs that would be recorded in the official records and would become a lien on the property and staff was now asking the Board how they wished to proceed.

Commissioner Morgan said it was his personal opinion if they did not comply, the County needed to take care of the problem and he would like to see the quickest way of doing this. He added that the problem with this particular property had been ongoing for approximately three and one-half years.

Commissioner Croley asked the attorney if the vehicles could be seized and sold and the money then accredited to the lien.

Mr. Weiss said if it was a violation of the Code and the Board found that it was a serious threat to the public health, safety and welfare, they could do what was needed to clean up the property. He added they probably should give the property owner the chance to get the property back before it was sold and the County would have to place a hold on the items for a certain number of days to allow the property owner time to purchase the items back.

Commissioner Croley stated with the hydraulic oils, fuel, motor oil, etc. in the vehicles, there was a potential for pollution to the environment, along with the vermin and snakes that were there creating a problem.

Mr. Weiss stated by them removing the property to correct the code violation, the seized items did not become the county's property.

Commissioner Holt stated this was a junkyard and asked if they wanted to make this into a commercial junkyard, what the property owners would need to do if they wanted to comply and keep the vehicles. She added if the vehicles were removed, there would have to be a place to store them because they could not be sold, and then if the property owners get the vehicles back, did they have the right to put them back on the property?

Commissioner Morgan said it was not fair to the surrounding citizens and the property owner had been given ample time to correct the problem. He suggested giving them ten days, start fining them on day one, if not corrected, then the County would correct.

Chair Hinson asked if there were homeowners in close proximity of the property.

Clyde Collins appeared before the Board and stated there were two homeowners that lived adjacent to the property.

Commissioner Croley pointed out the language in the Court Order clearly stated that "...[the County] is hereby authorized to take all necessary action to remove and dispose of the property described above, and to place a lien against the property for the amount of the cost of removal and disposal of the property". He stated his interpretation was the County had the right to sell the items seized without holding it to allow the property owner the chance to redeem it.

Mr. Weiss said the Magistrate would have the final say, he was cautioning the Board in taking anyone's property if it had any value and selling it without giving them the opportunity to get it back.

**Mary Smith, 3137 Atwater Road**, appeared before the Board and said she had the same problem with Code Enforcement. She said she has a neighbor that lives in a residential area that repairs cars and has a lot of vehicles on his property also and asked the Board to enforce the Codes for everyone.

Commissioner Taylor asked if the property owner was present, because from the pictures there appeared there were several attempts at contacting the owners.

**UPON MOTION TO COMMISSIONER MORGAN AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**Approval of Agreement with The Management Experts, LLC to Provide Emergency Management Training**

Mr. Presnell introduced the next item and said Major Wood would present the item.

**Major Shawn Wood, Gadsden County Sheriff's Office**, appeared before the Board.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

**16. Approval to Accept the Department of Homeland Security Grant for Exercise and Courthouse Security Enhancement/Contract #14-DS-L5-02-29-01 (CFDA#97.067)**

Presnell introduced the above item.

Commissioner Taylor asked if there were any matching funds for the grant and Major Wood said there was not.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

**17. Official Adoption of Resolution #2013-030 for The Amended Gadsden County Local Mitigation Strategy Plan**

Mr. Presnell introduced the above item.

**UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

Major Wood asked if he could introduce some of the new officers that were present; he said Major Morgan has gone into part-time status and Captain Robert Barkley has been promoted to the rank of Major. Major Mills came from Leon County and was in charge of the reserve unit and would help with the grant for the Courthouse, Captain Ashley had been a Major with Florida Highway Patrol, Captain Terry Meek had previously been with Florida Department of Law Enforcement, Captain Henry Miller had been promoted and was at the Jail, Vincent Crump had



been promoted to Captain, Herb Sheehan had come aboard and been promoted to Captain and Tashonda Whaley was promoted to the Coordinator spot with Emergency Management, and not present was Chief Howard Smith, who would handle hazmat duties.

Commissioner Croley asked if Major Wood was Emergency Management or if he was in Law Enforcement.

Major Wood said he was both.

#### **COUNTY ADMINISTRATOR**

##### **18. Update on Board Requests**

Mr. Presnell reminded the Board of the Courthouse celebration and said there were two scheduled - one for Saturday, November 23<sup>rd</sup> at 12:30 p.m. at the Gadsden Arts Center and one for Friday, December 6, at 3:00 p.m. at the Courthouse.

#### **COUNTY ATTORNEY**

##### **19. Update on Various Legal Issues**

Mr. Weiss said he had nothing to report.

#### **DISCUSSION ITEMS BY COMMISSIONERS**

##### **20. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

###### **Commissioner Taylor, District 5**

Commissioner Taylor asked about the status of the Town Hall Meetings.

Mr. Presnell informed her it was to be on the next agenda.

###### **EMS Site**

She said she had brought up a few meetings ago the potential site for the EMS facility, had some second thoughts and had asked to have it placed on the agenda again.

Mr. Presnell said there had been discussion of her rescinding the vote and asked Mr. Weiss if it would have to be done tonight before they could discuss the item or if it could be done simultaneously.

Mr. Weiss said it could be brought back as an item.

Chair Hinson said he thought the only ones who could vote on it would be Commissioner Holt and he and he would be happy to bring it back up.

Commissioner Holt asked why not place the ambulance service at the hospital and Commissioner Taylor said the grant would cover retrofitting the car lot site, but not at the hospital and she did not want to see anything at the hospital other than hospital beds.

Gadsden County Board of County Commissioners  
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She asked for a list of contributions from the participating municipalities in the economic development council.

*Commissioner Morgan stepped out at this juncture of the meeting.*

*Commissioner Taylor left the meeting at this point.*

**Commissioner Holt, District 4**

Commissioner Holt asked for information relating to the percentage of local and minority hiring requirements with the County.

*Commissioner Morgan returned at this juncture of the meeting.*

**Commissioner Morgan, District 3**

Commissioner Morgan had nothing to report.

**Commissioner Croley, District 2**

**CRTPA Update**

Commissioner Croley gave a brief report from the CRTPA meeting. He also informed the Board that a dredge permit application had been put in for the port at St. Joe and hopefully it would go through and the dredging of the shipping channel could commence.

He also said Gadsden County remains the only county without a bike trail, but that was in the works.

He also said he had sent out an update regarding the lighting at the interchanges, and once the designs are in place, they would be possibly able to leverage some opportunities to move the project up for actual construction rather than the previous timeline.

He then congratulated Chair Hinson on the election as Chair and Commissioner Holt on her election as Vice Chair.

**Commissioner Hinson, District 1**

Chair Hinson said once again that Commissioner Croley had done an excellent job as Chair during his term.

He then discussed the conference he attended in Daytona and mentioned some of the topics that were discussed.

**RECEIPT AND FILE**

**DECEMBER MEETING(S)**

- December 3, 2013, Regular Meeting, 6:00 p.m.
- December 17, 2013, Regular Meeting, 6:00 p.m.

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HINSON DECLARED THE**

Gadsden County Board of County Commissioners  
November 19, 2013 – Regular Public Meeting

MEETING ADJOURNED AT 7:57 P.M.

GADSDEN COUNTY, FLORIDA



ERIC F. HINSON, Chair  
Board of County Commissioners



ATTEST:



NICHOLAS THOMAS, CLERK

**AT A REGULAR MEETING OF THE BOARD OF  
COUNTY COMMISSIONERS HELD IN AND FOR  
GADSDEN COUNTY, FLORIDA ON DECEMBER 3,  
2013 AT 6:00 P.M., THE FOLLOWING  
PROCEEDINGS WERE HAD, VIZ:**

Present: Eric F. Hinson, Chair, District 1  
Brenda Holt, Vice Chair, District 4  
Doug Croley, District 2  
Gene Morgan, District 3  
Sherrie Taylor, District 5  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
Deborah Minnis, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Hinson called the meeting to order at 6:03 p.m. He then asked everyone to stand for the Invocation and Pledge of Allegiance. Reverend Sterling Barkley, pastor at Greater Tanner Chapel AME Church of Quincy came forward and gave the Invocation. A silent roll call was taken by Marcella Blocker.

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Hinson asked if there were any amendments to the Agenda and Mr. Presnell added Item 10-A and said Items 16 and 17 would be pulled from tonight's meeting.

**UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 TO ADD ITEM 10-A AND TO PULL ITEMS 16 AND 17.**

**UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 TO APPROVE THE AGENDA AS AMENDED. ITEMS 16 AND 17 WERE REMOVED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

Chair Hinson introduced some guests tonight, Mrs. Ward and Mr. Andre Barnes, teachers from East Gadsden High School and Devonte Kenon, an art student from East Gadsden, who drew portraits of the Board members during the meeting.

**1. Pat Thomas Insurance Presentation**

**John Pat Thomas, Pat Thomas and Associates Insurance**, appeared before the Board and presented a return in premium check in the amount of \$38,816 and stated it represented that the property trust was profitable and the company returned money back to the members.

**CLERK OF COURTS**

**2. County Finance and County Clerk Issues**

Clerk Thomas had previously forwarded a financial analysis to the Board and explained the general fund balance.

Commissioner Morgan asked if the fund balance was an unrestricted balance and asked the

Board their opinion of taking a portion of the balance and setting it aside as an emergency fund.

Clerk Thomas liked the idea.

Commissioner Taylor commented that the fund balance was designed for emergency use and did not want to restrict funding because there were restrictions in place already.

Commissioner Croley commented if they would adhere to the budget that was set, they would achieve what Commissioner Morgan and Commissioner Taylor were talking about.

Commissioner Holt agreed the budget was already set, but there needed to be a plan on how to make the money grow.

### **CONSENT**

**UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 TO APPROVE THE CONSENT AGENDA AS PRINTED.**

- 3. Approval of Minutes**
- 4. Ratification of Approval to Pay County Bills**
- 5. Approval of Proclamation Declaring the Month of November “Pancreatic Cancer Awareness Month” in Gadsden County**
- 6. Approval of Resolution Honoring the 100<sup>th</sup> Anniversary of the Gadsden County Courthouse**
- 7. Approval to Accept the FY 2013 Preliminary 4<sup>th</sup> Quarter Report**
- 8. Approval to Accept the FY 2014/15 Proposed Budget Calendar**
- 9. Approval of 2014 County Commission Meeting Calendar**
- 10. Approval of Contractual Agreement Between Centurylink and Gadsden County**
- 10A. Letter of Support for Neighborhood Medical Center**

### **ITEMS PULLED FOR DISCUSSION**

### **CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

There were no citizens that requested to speak.

### **PUBLIC HEARINGS**

### **GENERAL BUSINESS**

- 11. Somos Uno, Inc. v. City of Midway and Gadsden County/High Bluff Court Quitclaim Deed to City of Midway**

Chair Hinson introduced the above item and Mr. Presnell explained this was the last order of

business with the settlement agreement regarding the lawsuit.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, BEFORE THE VOTE WAS TAKEN, COMMISSIONER CROLEY CALLED FOR DISCUSSION.**

Commissioner Croley asked the attorney if the deed had been obtained from the other party and Mr. Weiss stated yes.

**THE CHAIR CALLED FOR A VOTE AND THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ABOVE ITEM.**

Commissioner Holt said when the annexation takes place in Midway, the Board should be involved.

Commissioner Taylor asked if they had any authorization or legal right to involve themselves in such.

Commissioner Holt explained it had happened before with two other cities.

**12. Community Organizations-Budget Procedures for Requesting Funding**

Mr. Presnell introduced the above item and said it was requesting the Board to establish a procedure to streamline non-profit requests for budgeting.

Commissioner Taylor had questions for the Administrator concerning the application packet.

Jeff Price appeared before the Board to explain the process and he and Mr. Presnell said this would help streamline everything.

There was more discussion among the Board regarding this matter.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5-0 TO APPROVE OPTION ONE.**

**13. Gadsden County Development Council Support Services Contract**

Mr. Presnell introduced the above item and added the correct total should be \$75,000 as opposed to the \$70,000 reflected in the attachment.

Commissioner Holt stated she was a little surprised by this item, there needed to be a plan in place for the County and then they could look at funding.

Commissioner Taylor said at the beginning of the year they funded the Economic Development Council to do economic development and they had not, as a Board, considered funding the Chamber and if both agencies were funded, it might send out mixed messages. She added jobs were not being developed and there were two entities that they were trying to fund with neither one having a plan, it was not functional and was not smart spending.

Commissioner Morgan asked the Board to consider a different approach and to try to maximize a return on the investment and one way was to invest in the economic arm of the Chamber for this



year. He added that the expertise of the Chamber was needed because each year they have been a partner and they had met the requirements of the agreement without exception.

Commissioner Croley asked if this money was in the budget and was told as a line item, no. He then asked had there been a formal request for funding from the Gadsden County Development Council and Mr. Presnell said no. Commissioner Croley then said he appreciated what the Chamber had done for the County in the past and a decision had been made by the majority of the Board that they were going in a different direction and they may need to re-evaluate at a later date. He further stated it was premature for the Board to consider this without some input from the Gadsden County Development Council and they needed to govern themselves by sticking to the budget and he would like to see this postponed until a later date until they received more information.

**David Gardner, Executive Director of the Chamber of Commerce, 222 West Sharon Street, Quincy, FL**, appeared before the Board and said the Chamber had continued to work on economic development for the benefit of the County.

Chair Hinson had previously mentioned a retreat and stated he thought a retreat would be beneficial to give them an opportunity to further discuss economic development along with other matters.

**Commissioner Morgan made a motion to approve the item and it died for lack of second.**

**COMMISSIONER CROLEY MADE A MOTION TO TABLE UNTIL THEY RECEIVED A REPORT FROM THE GCDC AND WAS SECONDED BY CHAIR HINSON. BEFORE THE VOTE WAS TAKEN, COMMISSIONER HOLT HAD COMMENTS.**

Commissioner Holt stated she did not agree to table the item, but to have it brought back after the Chamber and the GCDC had a chance to meet and develop a plan.

Commissioner Croley said that was his intent with his motion.

Commissioner Taylor commented that the Chamber was already a part of the GCDC and the Chamber was seeking additional funding and the true focus needed to be to make a solid plan, come together as one and stick with the budget.

Commissioner Morgan asked the Administrator the title of Ms. Kirkland and what she was being paid for. Mr. Presnell said it would be settled on Tuesday and her business was Beth Kirkland and Associates and she had agreed to develop a plan, attend meetings, and work with stakeholders. Commissioner Morgan asked how much of her time and expertise would they get if she were not paid and Mr. Presnell responded not very much. He then asked how much time and expertise would be received from the economic development arm of the Chamber if they did not invest in their value.

Commissioner Croley stated he appreciated comments from Commissioner Morgan, this was not in the budget and there had been no request from the Chamber and it seemed logical for the Chamber to get together with the Council, a business plan be developed together and then it be presented to the Board for consideration and the sooner done the better everyone would be.

Commissioner Holt stated the reason she could not support to table this matter was it was not coming from the economic development council, whom they had hired.

Commissioner Croley asked to withdraw his motion and wanted to change the wording from “tabled” to “deferred”.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER CROLEY TO DENY THE CONTRACT AT THIS TIME, BUT TO ALLOW THE STAKEHOLDERS TO MEET TO FORMULATE A CONTRACT, BUT BEFORE THE VOTE WAS TAKEN, COMMISSIONER MORGAN HAD COMMENTS.**

Commissioner Morgan said if the Board did not choose to invest in the Chamber, they would not be able to spend a lot of time with GCDC without funding the Chamber, because they were being asked to take their efforts away from what they do as a Chamber and put their focus on this and the Board would be trading out their time and expertise for a dollar amount.

**THE BOARD VOTED 4-1 BY VOICE VOTE. COMMISSIONER MORGAN OPPOSED.**

Commissioner Croley asked to clarify one thing before leaving this item and asked Mr. Thomas if something was not in the budget, would it require a public hearing before the money could be disbursed.

Mr. Thomas responded that the money would be taken from the budgeted reserve for contingency and was not the fund balance.

**14. Discussion of County Commissioners’ Travel Policy**

Mr. Presnell introduced the above item and said the Assistant County Manager had polled surrounding counties regarding their travel policies.

Commissioner Morgan said his thoughts were it was a sound policy and he would like to keep it in place.

Commissioner Croley said he would like to hear from the Clerk because it was his opinion the auditors had come up with this policy.

Mr. Thomas explained Finance goes by the Board’s policy and deferred this to the County Attorney because he wanted to make sure nothing conflicted with the Florida Statutes. He added if no-one approved the travel, then Finance would probably have to insist that once the line item for travel is expended, Finance would not cut a check until the budget was amended.

Commissioner Croley agreed with Commissioner Morgan that it has been a good policy and has worked well in the past.

Commissioner Holt said it had been both ways and then moved to a process where the travel was divided between the five commissioners and the Chair signed off when any commissioner was traveling and the Vice Chair signed off when the Chair traveled. She added that the reason some of the counties do it that way was so the public wouldn’t know when the Commissioner was



traveling and advertise the fact that their home might be vacant because of safety issues.

Commissioner Taylor agreed with Commissioners Croley and Morgan, but suggested the information to be limited that the public received and the amount of the expense be approved.

Chair Hinson said all the small counties were going with the policy they were discussing and Gadsden County was the only county in the State of Florida with this particular policy.

Commissioner Morgan asked outside of the information on the agendaed item, what was the problem with policy and Chair Hinson responded none.

Chair Hinson explained the only problem was, with the School Board and other counties, the Chairman signed off on it.

Commissioner Morgan asked if the general public had a right to know how their tax dollars were being spent and if the Commissioner was traveling. He suggested keeping the details out of the agenda item and keeping the policy in place.

Chair Hinson said he valued the Board and did not think any of them would take advantage of the system in that way. He further stated he thought the County needed to get in line with everyone else in the State and he did not think anyone would abuse it and it never happened with the School Board.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN TO KEEP THE POLICY, BUT ELIMINATE THE INFORMATION THAT WOULD COMPROMISE THEIR SECURITY, BEFORE THE VOTE WAS TAKEN, THERE WAS DISCUSSION CALLED FOR BY COMMISSIONER HOLT.**

Commissioner Holt said they were skirting the issue and not fixing it and said if they took the name and date off so no-one knew who and when they were going, nothing was accomplished.

Commissioner Croley said he supported what Commissioners Taylor and Morgan have said and thought the issue was the public had a right to know who is spending their money, where they were going and the dates they were traveling. He added he thought the Chair's issue was it being advertised in such a way that a criminal element may result. He added that the travel policy covered the employees of the Board as well as the Commissioner.

Chair Hinson said the employees travel did not come before the Board.

Commissioner Holt asked if it worked for the employee, why not use it for the Commissioners.

Chair Hinson said to treat the Board members the same as the employees.

They asked for the attorney to interpret and clarify the policy.

Mr. Weiss said there were multiple ways to interpret it, the way it was currently written, it read "The Board shall approve the travel of Commissioners" and he interpreted that to be the whole Board would approve, but it did not specify when. He further added that they did not receive

advance pay and it should not be a problem to bring it as an agenda item after and ask for approval.

Both Commissioner Morgan and Commissioner Taylor pointed out there was a motion on the floor.

**CHAIR HINSON CALLED FOR THE VOTE AND THE BOARD VOTED 4-1 BY VOICE VOTE. CHAIR HINSON OPPOSED.**

Commissioner Croley asked that the Clerk's Office work with the Attorney and the Administrator to come up with what the Board meant by "approve".

Clerk Thomas added that nothing had changed what his interpretation was that it comes before the Board to be approved and if that was not the way the Board wanted, they needed to vote specifically to say it did not need to be approved by the Board.

**15. Approval of Contract with Capital City Bank to Purchase a New EMS Facility**

Mr. Presnell introduced the above item and reminded the Board this had been before them before and it sought board approval of the contract with Capital City Bank to purchase the Thomas Motor Cars property to be used as the EMS facility.

Commissioner Morgan and Commissioner Croley moved approval simultaneously.

Commissioner Taylor said she had one question first and asked if there was a second since both Commissioners had made the motion to approve.

Chair Hinson said they would discuss it then they would move to the vote.

Commissioner Taylor said she wanted to make sure there would be no costs to the County and asked the status of the tanks in the ground.

Mr. Presnell said the tank had been removed and there had been an environmental study done of the site.

Commissioner Taylor wanted to make sure that the retrofitting of the building would be covered by the grant and would not be a cost to the County.

**COMMISSIONER MORGAN MADE A MOTION TO APPROVE AND COMMISSIONER CROLEY SECONDED. BEFORE THE VOTE WAS TAKEN, COMMISSIONER HOLT CALLED FOR DISCUSSION.**

She said tanks were removed, but asked about contamination of the area.

Mr. Presnell said an assessment of the site had been done by a certified geologist and the result should be in their agenda packets and it showed that the site was clean.

There was further discussion among the Board concerning contamination.

*Commissioner Morgan stepped out at this juncture of the meeting.*

**Tommy Baker, EMS Director**, appeared before the Board to answer questions the Board had.

Commissioner Holt asked if there was a warranty on who would be liable if contamination was found and Mr. Baker said all they had was the study that showed the assessment did not identify or recognize any environmental conditions and based on the evaluation an additional evaluation of the property was not warranted.

*Commissioner Morgan returned at this juncture of the meeting.*

Commissioner Croley informed the Board there was a form of insurance that could be purchased that would provide a long term effect of any pollution liability that the seller or the County could purchase and it could probably be part of the grant and there was a very niche market to protect the buyer in case pollution was later discovered.

Commissioner Holt stated the seller or the company needed to buy the policy, not the buyer.

**Walter McPherson, President, Capital City Bank**, appeared before the Board and explained the Board had hired a professional that inspected the property and gave a clean inspection. He informed the Board if the inspector suspected there was contamination, he would recommend ordering a phase two audit.

**Sterling Bryant, Capital City Bank, 1301 Metropolitan Blvd., Tallahassee, FL**, appeared before the Board and stated the Bank had an independent environmental evaluation done in 2009 at the time of the foreclosure and it came back clean and was done by a separate company from the one the County utilized. He added with that, there had been two environmental audits done and both showed it had not advanced to a Phase Two.

Commissioner Croley asked if they had a copy of the audit and if it had been made available to the Commissioners.

Mr. McPherson said the Bank would be happy to provide the Commissioners with a copy of the audit.

Commissioner Holt said she would still like to have insurance and said she could not vote for it because of safety issues.

Mr. Bryant pointed out the site was not on any DEP list for red flags for contamination.

**CHAIR HINSON CALLED FOR THE VOTE. THE BOARD VOTED 4-1 BY VOICE VOTE.  
COMMISSIONER HOLT OPPOSED.**

**16. Amendment of Chapter 66, Article II, Housing Initiatives Partnership (SHIP) by Adoption of Ordinance 2013-009** Item Pulled

**17. Appointment of Members to the Gadsden County Community Development Advisory Committee (CDAC) & Adoption of Resolution 2013-031** Item Pulled

**18. Approval of Community Development Block Grant (CDBG) Contract Modification #1 with the Florida Department of Economic Opportunity (DEO)-Canty Lane Disaster Recovery**

Mr. Presnell introduced the above item and said it was seeking Board approval in asking for an extension on CDBG grant for Canty Lane.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

**COUNTY ADMINISTRATOR**

**19. Update on Board Requests**

Mr. Presnell reminded everyone of the upcoming courthouse celebration that was scheduled for Friday, December 6th at 3:00 p.m. and the Christmas celebration following at 6:00 p.m.

*Commissioner Taylor stepped out at this juncture of the meeting.*

*Commissioner Taylor returned at this juncture of the meeting.*

He commented that regarding the budget the building fund had not been sustaining itself and expenses had been removed in the current year budget and said the Administration was aware of the need to watch dollars.

**COUNTY ATTORNEY**

**20. Update on Various Legal Issues**

Mr. Weiss said he had nothing to report but was available if anyone had any questions.

Commissioner Croley asked if progress had been made regarding how to handle code enforcement violations and how to replenish funds that had been expended.

Mr. Weiss responded that the code enforcement procedure that had been adopted by ordinance and was a very specific procedure that was outlined by state statute and provided for collection, but that did not mean that monies would be recovered immediately and that the money may never be recovered.

Commissioner Croley asked if liens would cover all property owned by the offender and if they could collect if the owner should sell or attempt to dispose of other property owned by them.

Mr. Weiss responded yes and explained it effectively was a judgment that becomes a lien not only against the property in violation but also against other property owned by the violator.

Commissioner Croley asked if interest accrued on this and Mr. Weiss explained interest accrued in accordance with Florida Statutes.

**DISCUSSION ITEMS BY COMMISSIONERS**

**21. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**Commissioner Taylor, District 5**

Commissioner Taylor said she had “heard rumblings” about possible grants for parks and didn’t know if that had been allocated already, but asked that it be placed on an upcoming agenda for further discussion.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5-0 BY VOICE VOTE TO HAVE THIS MATTER PLACED ON THE AGENDA.**

**Sidewalks**

She said this initiative had been started, but had run into a block wall because of lack of adequate funding and asked that they keep their “ears to the ground” and watch for grants and suggested the need for a survey to determine areas where sidewalks could be used; the most needed where foot traffic was the heaviest.

Commissioner Croley shared a safety program called “Community Traffic Safety Team” and said many areas in the county has been asking for sidewalks for children traveling to school safely. He encouraged the commission to send a representative to represent the Board to show where sidewalks are needed.

Commissioner Taylor said she appreciated the source that Commissioner Croley had identified, but asked that they not limit it to just the one source because so many areas needed sidewalks aside from school areas.

Mr. Presnell said pedestrian traffic qualified and schools helped.

**Private Roads**

She asked when this item was coming back and Mr. Presnell said hopefully would be on the next agenda.

**Economic Council**

She asked what municipalities were contributing to the Economic Council.

Mr. Presnell said a meeting was scheduled for Tuesday and he would get back with the board.

Commissioner Taylor said there still were a lot of unanswered questions and she felt like there needed to be a meeting set up with the board and the council to have unanswered questions addressed.

Mr. Presnell said the meeting scheduled for Tuesday was to finalize the contract with Beth Kirkland and the plan was to move forward and develop a plan and then have the Council appear on a regular basis to update the board regularly.

*Commissioner Holt stepped out at this juncture of the meeting.*

**Change in Seating Arrangement for Board**

*Before the start of the meeting, Chair Hinson changed the seating arrangement of the Commissioners and was faced with dissatisfaction from Commissioner Taylor.*

*Commissioner Holt returned at this juncture of the meeting.*

Commissioner Taylor expressed her feelings that the seating arrangement should have been addressed prior to the meeting and they should have received to discuss same. She added “if we want to see respect, then show respect”.

**Commissioner Morgan, District 3**

Commissioner Morgan stated he was embarrassed for the Board on how the meeting was started tonight, particularly with guests being present. He added he thought there was a responsibility as commissioners to respect their Chair and if there was an issue as to what happened, there was a time to work things out in private and then address it following the meeting.

**Ethics Training**

He reminded the Board that ethics training needed to be completed by the end of the year.

**TDC Appointment**

He also said there was a new TDC appointment that needed to be made by the Chair and he added he was currently serving on that Council and would not be a candidate and requested that he select someone else.

**Commissioner Croley, District 2**

Commissioner Croley said he did not want to get bogged down with details of where everyone sat, to move onward and upward.

*Commissioner Morgan left the meeting.*

He said he wanted to continue to ask the commission to please provide him with lists of roads and projects that the commission could formally approve so he could present it to the CRTPA and it needed to be connector roads that he could advocate for to be able to get state and federal funding.

He said the first phase of the by-pass was moving along and would it be around the Fall of 2014 before it was completed. He said there were three things The Board needed to help with the project and protect it:

- Make sure the area around it, even though it was a DOT road, had limited access;
- Environmental concerns-did not need people parking and fishing off bridges;
- Economic development aspect to help move truck traffic, need to make sure they keep the emphasis of limited access and protect the environment.

He asked if the Board had no objections, that Mr. Presnell review these matters with the Growth Management and made sure county had done what was needed.

Chair Hinson said Commissioner Holt’s comments were next, but asked that they pause for a moment for a picture with the teachers and the student from East Gadsden since they had completed their portraits and the teachers and student would be able to leave. He then asked them to step to the podium and introduce themselves.

**Andre Barnes, Art teacher, East Gadsden High School**, appeared before the Board and said this was his third year teaching there. He also said the young man present had competed in an international competition where he was designing a cover for the London branch of the iPad and had come in sixth place.

**Devonte Kenon**, 16 years old, eleventh grade art student at East Gadsden High School, appeared before the Board. He said he had been drawing his whole life.

**Mrs. Wade**, teacher at East Gadsden High School appeared before the Board and thanked them for allowing them to come and showcase some of their abilities.

Mr. Barnes and Mr. Kenon shared the portraits they had drawn during the meeting with the Board.

**Commissioner Holt, Vice Chairman, District 4**

Commissioner Holt mentioned the paving bond and asked about the possibility of doing a smaller bond with less payment so it could be paid off in less time.

**Economic Development**

She mentioned CDBG grants and said if it did not work out with the bank, she would like to see if there was something out there that would help foster economic development. She said they had discussed earlier the elementary school in Havana. If the school board was willing to let the County have that facility, could the County apply for a CDBG to use the school as a business incubator. She further stated if the grant was not obtained for the EMS facility, she would like to see one applied for this.

**Seating**

She said they had discussed earlier the seating arrangement and it was very disturbing simply because since she had been on board, the Chairman decided who sat where. She added it was the policy and procedure of this Board that the Chairman ran the meeting and hoped this could be taken care of. She added she hated sitting where she had previously been because the air blew on her and she was always cold, but added she was here for a purpose of taking care of business and if it were uncomfortable, it was only for a few hours twice a month. She also said she would like for them to work together, but bottom line was the Chairman had the say-so over the meeting.

**Commissioner Hinson, Chair, District 1**

Chair Hinson said his Grandmother, who had recently passed away, always told him “you could catch more flies with honey than vinegar” and all his life, he’s been positive and added he thought he had been one of the nicest commissioners on the Board and been fair. He said, “As a Commissioner you represent your district and how you act is a reflection of your district, the way you act as a commissioner; as a person, how you act and respond I’m pretty much a reflection of my parents, a reflection on my Grandmother. I don’t want to disappoint them knowing that I was acting wrong.” He added the reason he chose to change the seating arrangement was this was the way the Florida High School Athletics Association Board of Directors had it set up with the Executive Director on one side and the County Attorney on the other in case he had a question. He added that he was lucky in that he was one of the youngest persons to ever serve

on the school board and probably one of the few now youngest to serve as a Commissioner. He said he would hear things in the community and he was one of the most “popular brothers in Gadsden County, just as popular as anyone in Quincy, anyone in Chattahoochee, anywhere else because I’m always assessable, always helpful”. He said he didn’t want to make a scene tonight and everyone was here to work together. He added there was no reason for him to run for office if he knew he could not get anything and “that was the reason I did not run for State House, probably would have been a slam dunk, but I know I can’t get anything accomplished, but I can get things accomplished here because I’ve got four good board members on this board and we are going to work together...”

He then added that along with the paving, he would like to look at lighting outside because the buses come early and doesn’t drop the kids off until dark, and maybe they could partner with the School Board to see where lighting could be utilized.

He concluded with saying, “Shifts happen, which means you have to change with things, we can’t get upset, especially when someone’s positive to you. I mean, if I did something wrong to anybody, Lord have mercy, just tell me. Everybody know, I hadn’t done anything wrong. But I’m not gonna miss any sleep at night, of course. But shifts happen. I remember the story about the saber tooth tiger. I told the story when I was teaching ESE. I told the story about this saber tooth tiger, right? This saber tooth tiger was the king of Florida, (inaudible) Florida was still a wetland. This saber tooth tiger was the king of this area in Florida, right? The only animal he was going after was the mammoth and that was his favorite dish the mammoth. The mammoth knew that he couldn’t compete with the saber tooth tiger then he heard that the humans were coming in. So the mammoth left, right. The saber tooth tiger stayed in Florida ‘cause he said that’s how it’s always been, I’m gonna do what I can, right, it’s always been that way. So his only dish was the rats and rabbits and everything else. Even the rabbits adapted to change. They started blending in with the logs, the rats, everything started changing, blending in with the dirt, everything. Everybody blended in with the change except for who, the saber tooth tiger. Last time I checked, the rabbits are still around today, the rats still around today and also the mammoth, the elephant is still around today, right? The only person that is not here today is who, the saber tooth tiger. “

#### **RECEIPT AND FILE**

- A. November 5, 2013 letter from Florida Department of Revenue (Maximum Millage Levy Calculation Final Discharge
- B. November 5, 2013 Letter from Florida Department of Revenue (TRIM Certification)
- C. Clerk’s Statement of Revenues, Expenditures & Changes in Fund Balance-Budget & Actual (FYE 09/30/2013)
- D. July 2013 to September 2013 Electronic Report from the Clerks of Court operations Corporation

#### **DECEMBER MEETING(S)**

- December 17, 2013, Regular Meeting, 6:00 p.m.

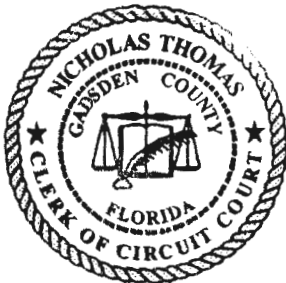


Gadsden County Board of County Commissioners  
December 3, 2013 – Regular Public Meeting

**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HINSON  
DECLARED THE MEETING ADJOURNED AT 8:46 P.M.

GADSDEN COUNTY, FLORIDA



  
\_\_\_\_\_  
ERIC F. HINSON, Chair  
Board of County Commissioners

ATTEST:

  
\_\_\_\_\_  
NICHOLAS THOMAS, Clerk

**AT A REGULAR MEETING OF THE BOARD OF  
COUNTY COMMISSIONERS HELD IN AND FOR  
GADSDEN COUNTY, FLORIDA ON DECEMBER  
17, 2013 AT 6:00 P.M., THE FOLLOWING  
PROCEEDINGS WERE HAD, VIZ:**

Present: Eric Hinson, Chair, District 1  
Brenda Holt, Vice Chair, District 4  
Doug Croley, District 2  
Gene Morgan, District 3  
Sherrie Taylor, District 5  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
Deborah Minnis, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Hinson called the meeting to order at 6:01 p.m. and asked everyone to stand for a moment of silence in honor of Nelson Mandela, who had recently passed and the Pledge of Allegiance to the U.S. Flag. A silent roll call was taken by the Deputy Clerk.

**AMENDMENTS AND APPROVAL OF AGENDA**

There were no amendments to the agenda.

**UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS WRITTEN.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

Chair Hinson said he had one award to present and the Board then recognized Robert Presnell for 15 years of service to the County.

**CLERK OF COURT**

**1. County Finance and County Clerk Issues**

Mr. Thomas said he had a correction to a statement he had made at the last meeting and commented at that time he was asked how much was budgeted for the 2014 reserve for contingency and the amount should be \$50,000 instead of \$200,000 and the second part of the question concerned spending and if the \$50, was spent within the general fund it would only require a budget amendment, but if it was spent from the reserves or cash balances, it would require a public hearing.

**CONSENT**

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

**2. Approval of Minutes**

**-November 19, 2013**

- 3. Ratification of Approval to Pay County Bills**
- 4. Approval of Resolution for New Chairman's Facsimile Stamp**

**ITEMS PULLED FOR DISCUSSION**

**CITIZENS REQUESTING TO BE HEARD**

**Emily Rowan, Chairperson of the Gadsden County Library Commission, 1200 Little Sycamore Road, Quincy, FL**, appeared before the Board to give everyone a short snapshot of the county libraries at work. She shared that the Gadsden County Library now had a Facebook page and encouraged everyone to like the page. She also passed out a copy of a Gadsden County crossword puzzle that had been prepared by Andie Blount, a library staff member.

**PUBLIC HEARINGS**

**5. Public Hearing-Amendment of Chapter 66, Article II, Housing Initiatives Partnership (SHIP) by Adoption of Ordinance 2013-009**

Mr. Presnell introduced this item and said the only change on this was amending the number of members from an eleven (11) member board to a seven (7) member board advisory committee.

Commissioner Croley said he noticed that Exhibit A that showed the housing initiatives was followed by another Exhibit A and asked why and which one applied to the ordinance.

**Allara Gutcher, Director of Planning and Community Development**, appeared before the Board and explained one was the "clean" version so they could follow it better and the other had the red strikethrough that reflected the changes.

Commissioner Croley had other questions.

**Phyllis Moore, SHIP Administrator**, appeared before the Board to further explain everything and clarified that everything would remain as is; this was only changing the number of board members from eleven to seven and it would be a dual board to serve with Community Development and SHIP.

Commissioner Taylor asked if a new board would be selected at this time.

Ms. Moore explained that an advertisement had been published and they had applications from interested individuals and she further explained there were certain criteria that needed to be followed and individuals had to meet certain qualifications.

Ms. Gutcher explained the board members themselves was the next agenda item, this item was simply decreasing the board member number from eleven to seven.

**UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**6. Public Hearing-Amendment of Chapter 5, Development Standards; Section 5800, Communication Towers**

Mr. Presnell introduced the above item and stated they were not asking to move forward with this, but Ms. Gutcher had said because of the ordinance change, Planning and Zoning had a lot of questions and requested a workshop regarding this matter.

**Michael Dorian, 145 Alligator Run, Quincy, FL**, appeared before the Board concerning the item and was sworn in by the deputy clerk. He said he had concerns regarding this ordinance. He added it was his opinion this proposal needed to be voted down, the ordinance was working as it was and was in favor of workshops being held regarding this matter.

**Ed Allen, 268 Chinquapin Way, Quincy, FL**, appeared before the Board and was sworn in by the Deputy Clerk and also said he was in support of workshops for this item.

Commissioner Morgan pointed out this was not a quasi-judicial hearing and citizens did not need to be sworn in.

**Wayne Hawthorne, 804 Frank Smith Road, Quincy**, appeared before the Board and stated he wanted to go on record to say he thought the cell tower issue needed to be voted down the way it was, but would like to see it go to a workshop so everyone could get involved in where the towers were placed.

**Marion Lasley, 5 Dante Court, Quincy, FL** appeared before the Board and was in favor of workshops concerning this item.

**Anthony Arnold, 28852 Blue Star Highway**, appeared before the board and stated he was on the original Planning and Zoning board and very much in favor of a workshop.

**Larry Ganus, 2174 Frank Smith Road, Quincy, FL** appeared before the Board and said the P&Z intent was to table the motion and somehow the word “table” was left out of the motion and he encouraged the Board to remand it back to P&Z for their decision.

Commissioner Morgan asked if Ms. Gutcher could step back to the podium to address questions he had.

Commissioner Croley stated he was of the opinion the process worked well and had a question for Ms. Gutcher. He asked if the County had a master cellular service plan as part of their comp plan showing where there were dark areas and the need for service. He added he thought the first process before changing the cellular tower process was to see where dark areas were in the county.

Mr. Presnell said they had been reviewing current codes and they were simply asking the Board to allow this matter to go back to P&Z to address.

Commissioner Holt said she felt there should be a joint workshop with P&Z and County Commission

Commissioner Taylor agreed with Mr. Ganus to remand this back to P&Z for them to gather more information and then meet jointly.

**COMMISSIONER TAYLOR MADE MOTION TO SEND BACK TO PLANNING AND ZONING AND MOTION DIED FOR LACK OF SECOND.**

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER CROLEY TO NOT ADOPT ORDINANCE 2013-011 AND TO NOT SEND BACK TO PLANNING AND ZONING, BEFORE THE BOARD VOTED, COMMISSIONER HOLT CALLED FOR DISCUSSION.**

Commissioner Holt commented this needed to be work shopped jointly with Planning and Zoning and the Board.

Commissioner Croley added that he agreed with Commissioner Holt on having workshops, but under his time he would ask the Board to approve an effort to develop a master cellular communication plan for the County, which would help deal with and identify dead zones.

Chair Hinson asked Mr. Presnell the purpose for bringing this item back for a workshop. Mr. Presnell said their recommendation was for the Board to instruct the staff to go back and have a workshop with all interested parties.

**CHAIR CALLED FOR VOTE. BOARD VOTED 2-3. COMMISSIONERS HOLT, TAYLOR AND HINSON OPPOSED. MOTION FAILED.**

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 3-2 TO APPROVE OPTION TWO. COMMISSIONERS CROLEY AND MORGAN OPPOSED. MOTION PASSED.**

Commissioner Croley stated for a point of clarification, this did not change or adopt the ordinance, it would just send this back to P&Z for workshop.

Commissioner Taylor stated Planning and Zoning may send back a different item and to say the contents would be the same was not right.

**7. Public Hearing-Amendment of Chapter 6, Subdivision of Land, Section 6000, Establishment for Subdivision of Land, Subsection 6600, Family Exemption**

Mr. Presnell said this item was regarding land development regulations and subdivision of property when such property was deeded to an immediate family member. He further explained this item went before Planning and Zoning and their vote was 8-4 that it not be adopted.

**Michael Dorian, 145 Alligator Run, Quincy, FL** appeared before the Board and stated it was his opinion the County should go back to one subdivision per families. He was against going to three and felt three could cause urban sprawl and would threaten the aquifer; infrastructure would have to increase along with emergency services. He thought it would be beneficial to be work shopped, move slowly and look for alternatives.

**Diane Sheffield, 1291 Tallavana Trail, Havana, FL** appeared before the Board and stated she had served on the Planning and Zoning Board for a long time and the Immediate Family Exemption was sunsetted for very good reasons and many, many meetings were spent discussing this item. She added the way Florida Statutes laid this out, it was intended to divide land among immediate family members to homestead to live there, but it has not worked out that way. She asked that they not go backwards and re-adopt what was a huge problem, but to move forward instead.

**Ed Allen, 268 Chinquapin Way, Quincy, FL**, appeared before the Board and said the ordinance sunsetted several years ago and Planning and Zoning had discussed this in length during the EAR

amendments and they decided to let it sunset because there were too many problems the way it was.

**Anthony Arnold, 28852 Blue Star Highway, Havana, FL 32333**, appeared before the Board and stated he also was on the Planning and Zoning Board at time this was sunsetted and encouraged the Board to workshop this matter.

**Marion Lasley, 5 Dante Court, Quincy, FL**, appeared before the Board and said she agreed with everything the many Planning and Zoning board members had said.

*Commissioner Morgan stepped out at this juncture of the meeting.*

She further stated she foresaw problems if this were not well planned out.

*Commissioner Morgan returned at this juncture of the meeting.*

She also stated the minutes from the meeting had not been included in the packet so the Board was not aware of the discussions they had and what their concerns were and thought they should be presented in the future if it was going to be an issue that was to be discussed so they could read first-hand what was conversed at those meetings. She concluded by stating she was not in favor of the proposal and asked that they deny it.

**David Trauchand, 28 Blue Heron Ct., Havana, FL**, appeared before the Board and explained the reason there were no minutes was because there was no meet in December to approve the minutes from the November meeting. He added that the proposal for homesteading was turned down by the Planning Commission as they had no interest in doing a workshop on it, was not recommended for the Board to proceed with this and felt there were too many problems with this.

**Larry Ganus, 2174 Frank Smith Road, Quincy, FL** appeared before the Board and said this issue had been around as long as he has been on the Planning Commission and he was winding up his ninth year and felt whatever was written would be acceptable to too many people. He further added that this particular proposal had things in it different from any other seen on this issue, but was all based on the fact that this particular state law provision was still in our comp plan; however, the planning commission approved the removal of that section of the comp plan because it had been sunsetted. He added he personally felt this was a detriment and did not move to the country to live with people at his front door. He encouraged the Board to not approve this item and move forward with the EAR amendments.

Commissioner Croley said since he has been a commissioner he has seen problems with this matter, this was not workable and thought was a bad idea to go back to the way things were.

Commissioner Holt said people were crying now because they own nine acres of land and was unable to put a residence on it. She added there were two sides to this and they were here to represent all the people, not one or two.

Commissioner Morgan said there was a valid argument for both sides, but what he had heard consistently was the cons and problems far outweigh any benefits and he did not think this was the best solution to address those that needed the help and he did not support it. He asked the plan to move forward with the EAR amendments.

Mr. Presnell said they started working on the EAR amendments when Ms. Gutcher came on

board, but they had to update the data and analysis first. She then came forward to further explain.

Commissioner Taylor said in listening to the comments concerning urban sprawl, her issue was no more land was being made, but the population was growing and there was a need for smart growth and development for the county. She asked if something could be put into play to protect the property owner.

Mr. Presnell said there was a three year limit and after that time, there were no restrictions and the property could be sold to whomever they wanted.

Commissioner Taylor asked how to control clusters and added she was not in favor of clusters, but was in favor of smart growth and development and was in favor of this item.

Mr. Presnell stated this was for three acre tracts, not a ½ acre tract.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR, BEFORE THE BOARD VOTED COMMISSIONER MORGAN CALLED FOR DISCUSSION.**

Commissioner Morgan asked if this would require a simple majority or four votes to approve.

Mr. Presnell responded it was a text amendment and would require a simple majority vote.

There were questions regarding this being a text amendment, Mr. Weiss explained it was a text amendment and required a simple majority vote.

Commissioner Croley said he was very sympathetic, but in this county today, if all the subdivisions were counted that were approved, there were probably 100 years supply of lots with single family dwellings, showing there was no shortage of single family lots. He indicated by doing this, they were giving a “special right to a few not enjoyed by the many”.

Chair Hinson commented he thought an intense workshop was needed on this matter and he was concerned that the property would not be able to be sold at all and asked Mr. Weiss to explain that again.

Mr. Weiss explained the way it was written it says “The property solely as a homestead by an individual who is a relative” and the question becomes could it only be sold, if sold at all, to a relative or would this ordinance provide, after three years, that this no longer applies. He further added if they stated the property had to remain with the family for the rest of time, the potential would be created to not be able to sell the property to anyone.

**CHAIR HINSON CALLED FOR THE VOTE. THE BOARD VOTED 3-2 BY VOICE VOTE. COMMISSIONERS MORGAN AND CROLEY OPPOSED. MOTION PASSED.**

## **GENERAL BUSINESS**

### **8. Appointment of Members to the Gadsden County Community Development Advisory Committee (CDAC) & Adoption of Resolution 2013-031**

Mr. Presnell introduced the above item and said it related to an earlier item and was to approve seven members to the Community Development Advisory Committee that was previously

approved.

Commissioner Croley moved for approval if there was no discussion.

Commissioner Taylor looked at some of applicants and commented that some were from out of town and asked if they did not want ensure that there were local residents and did not see applicants from every district.

Phyllis Moore appeared before the board and explained the process of advertising for the applicants.

Commissioner Taylor said she was not trying to abate the process; she just wanted to make sure there was equal representation.

Commissioner Morgan said it was always good when there were seven active people who wanted to serve. He added he did agree with Commissioner Taylor's point of view in having representation from each district.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, BEFORE THE BOARD VOTED, THE COUNTY ATTORNEY POINTED OUT THE BOARD NEEDED TO APPROVE MEMBERS.**

Ms. Gutcher appeared before the board and discussed the criteria for the appointed members.

Phyllis Moore appeared before the board to give the list of the needed members.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THE BOARD MEMBERS. COMMISSIONER MORGAN OPPOSED.**

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO ADOPT RESOLUTION 2013-031.**

- 9. Approval of Reappointments/Appointments to the Apalachee Regional Planning Council**  
**UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

**10. Accepting Existing Non-Maintained Roads**

Mr. Presnell introduced the above item and said Staff was looking for private dirt roads where the citizens along the roadway were in 100% agreement and willing to deed land to the County at their expense to maintain the road that were 100% maintainable and had no up-front, out-of-pocket expenses to the County.

Commissioner Taylor asked Mr. Presnell if the dirt roads would be paved.

Mr. Presnell responded that they would not.

Commissioner Taylor mentioned millings and said she was not a supporter of millings, but it was better than dirt and asked the possibility of obtaining millings to use on the roadways.



Commissioner Croley said DOT was not cooperating with millings because they were now being used on resurfacing roads. He added that sometimes they might be successful in purchasing millings from some of the road contractors that were willing to sell.

Commissioner Taylor said the county was two to three years out from satisfying the paving bond.

Mr. Presnell confirmed there were 4 payments left on the bond.

**Larry Ganus, 2174 Frank Smith Road, Quincy, FL** appeared before the board and asked to speak because he had lived on a dirt road for 20 years. He added that there were 2.6 miles of dirt road and the property owners came up with homeowners' association dues to help with maintenance of the road. He added he had taken on using his tractor to help maintain the road and they have been using their money on crushed concrete, but it was expensive also. He added he thought the County owed them something for their maintaining the road and added they pay taxes like everyone else in the County but receive none of the services everyone else received. He encouraged the Board to continue on with this and maybe appoint a citizens' committee to help develop this.

Commissioner Holt said she took a beating when she suggested a \$10 Million bond and if they had done \$25 Million as she had wanted to do, they could have paved all the dirt roads.

Chair Hinson said they were not talking about paving with this item, just maintaining at this time.

Commissioner Croley said the issue that comes up was using county equipment to maintain private roads without being compensated by property owners and he did not think they should do so without someone on the private side paying for it. He added they were supposed to have a procedure in place to start the paving process, but whoever set up that Ordinance did not do it properly and the Tax Collector could not levy the liens, but that had since been corrected. He expressed the County was part of four other counties on maintaining roads and they have to justify what they do and they were not keeping up with the present roads and they need to keep up, but it needs to be done in the correct manner.

Commissioner Taylor said the County was spending \$900,000/year on this debt and concurred with Commissioner Holt to look into financing this debt a little longer to be able to obtain paving dollars. She asked that they look into the bond they have for paving and look into increasing it, reduce the debt service to lower amount of payment and borrow more to be able to pave the roads.

Commissioner Morgan said the fact of going on private property was not an issue, but the concern was the current financial position of the road department and in the weak financial position, did not understand how the Department could take on more debt. He then asked Mr. Presnell if maintaining the roads would decrease, increase or keep costs the same.

Mr. Presnell said it would be about the same, the same motor grader, same people, it would slow them down, just adding scraping of the roads.

Commissioner Morgan said they would be raising expenses year after year and there would be decreased revenue year after year.

**UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYLOR TO APPROVE OPTION TWO, BEFORE THE BOARD VOTED THERE WAS**

**A CALL FOR DISCUSSION.**

Commissioner Morgan asked Mr. Presnell if this made good business sense for the County to do.

Mr. Presnell said as long as they were not discussing the paving, it did not “give him heartburn”, but discussion of paving, bridges, culverts and clearing of right-of-ways scared him.

Commissioner Croley said Mr. Ganus had made the suggestion that citizens be involved and asked if it would be prudent for the Administrator to include someone such as Mr. Ganus along with others to provide comments.

**CHAIR HINSON CALLED FOR VOTE. THE BOARD VOTED 4-1 BY VOICE VOTE. COMMISSIONER MORGAN OPPOSED.**

**11. Vendor Performance Evaluation (Legacy Marketing) from the TDC and Continuation of Service**

Mr. Presnell introduced next item and said it sought Board approval for the continuation of the agreement with Legacy Marketing.

*Commissioner Croley stepped out at this juncture of the meeting.*

Commissioner Taylor said she did not heartburn either way, but for future reference, she asked that whoever they contract show actual impact. She added that there were things going on that no matter who was marketing, would have drawn people to our county.

**Matt Thro, 302 North Main Street, Havana, FL** appeared before the Board and said he was very thrilled to have Ms. Gutcher as a part of the Council.

*Commissioner Taylor stepped out at this juncture of the meeting.*

(Two videos that had been prepared by the marketing company were played.)

*Commissioner Taylor returned at this juncture of the meeting.*

*Commissioner Croley returned at this juncture of the meeting.*

Commissioner Holt asked the marketing company the costs of the videos.

**Mary Kelly, of Legacy Marketing**, appeared before the Board and explained the collection of the videos were \$20,000 and the first video was being shown on the Gadsden website and the second video was part of video free roll collection that they want to use on the internet to target specific markets for people that would come to town for a ballgame, etc.

*Commissioner Morgan stepped out at this juncture of the meeting.*

*Commissioner Morgan returned.*

Ms. Kelly stated they had been at every event they knew about with the exception of the Fantasia concert and they were out of the country at that time and did not know about it beforehand.

Commissioner Holt said she could not see a difference in what they were contracted for and what

was presented outside of the contract. She added that she liked the video, but the problem she had with the video was the other three towns (Gretna, Greensboro and Midway) were not included.

Ms. Kelly stated they did shoot the casino in Gretna and at the time, there was no-one in Midway to contact, but they had since made contact.

Commissioner Taylor said someone had made the statement that Legacy was overwhelmingly approved, but there were comments in the evaluations that there were issues with the services and felt Legacy was “not in tune with the vision” and they could not see the direction that Legacy was taking TDC. She added, to be fair, at least a year was needed to prove things. She also added that she thought the video could be better-rounded with a diversity of people.

Commissioner Holt asked the status of kiosks.

Mrs. Kelly said that was never in their contract and she personally did not like doing kiosks, but suggested a mobile app since most folks used their mobile phones.

Commissioner Holt asked about the billboards and where they were.

Mrs. Kelly responded they were located in Marianna and Madison on the interstate.

Chair Hinson said when they have the retreat; they needed to identify what Gadsden County was about.

Commissioner Morgan said he had been the board representative on TDC (and pointed out Chair Hinson needed to appoint a new person at the next meeting) and thought it had been a very smart move to have a six month review to help give Legacy direction on where to direct their attention. He also said in response to Commissioner Holt’s comment concerning the kiosks, he had supported that some time ago and felt that was a way for visitors and citizens to understand what was going on in the county. He further emphasized the need to “brand the county” or to market it.

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE CONTRACT. COMMISSIONER HOLT OPPOSED.**

Commissioner Croley said he was sick of hearing so much about TDC and if looking for a “brand” for the county, most everyone he talks to talks about the hunting and fishing in the area.

**12. Approval of Gadsden County Enterprise Zone Boundary Amendment Resolution**

Mr. Presnell introduced the above item and said this was for an expansion of the Enterprise Zone and there was a correction on the map.

**UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE RESOLUTION**

**13. Joshua L. & Sarah E. Rudd, Parcel ID No. 3-11-2N-3W-0000-00222-03000/Code Enforcement**

Mr. Presnell introduced above item and pointed out there was a typo on the Agenda request and the County Administrator’s recommendation was Option 1.

**UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**COUNTY ADMINISTRATOR**

**14. Update on Board Requests**

Mr. Presnell said he had a few items:

**Transportation loan**

Mr. Presnell said using \$15 Million as an example, 15 years at a rate of 2.75%, the annual payment would be \$1.7 Million and using the current payment of \$700,000 (since re-financing the payment is now \$700,000) there was still a need to generate approximately .5¢ fuel tax to generate the remainder of the payment. He added there was no way to do that at this time without paying off the existing \$4 Million owed or generating an increase in the gas tax.

**City Contributions to Gadsden Development Council**

He said Commissioner Taylor had requested a list of the city contributions to the Gadsden Development Council and it was as follows: Greensboro \$1500; Havana \$2500; Gretna \$5000; Quincy \$10,000; Midway \$3000; and did not have Chattahoochee's amount yet.

**Tree Trimming**

He said he had met with Talquin Electric twice and the ball was now in their court, but they were working on it.

**Canty Lane**

He informed the Board there was a ground breaking ceremony scheduled for Thursday at 10:00 a.m.

**Re-entry Center**

He stated there was a ribbon cutting this morning for the facility by the law enforcement academy.

**Affordable Care Act Workshop**

Scheduled for January 15<sup>th</sup> and will be sending out information regarding that.

**LAP/Safety Projects**

List being put together and will be forwarded to Commissioner Croley for safety projects.

**Bus Stop Information**

Public Works Director working on lighting and bus stop information.

**Sidewalks**

Community Traffic Safety Team received approval from DOT for Martin Luther King out to Highway 90.

**FRDAP**

To apply for this money, you have to have land owned or under lease for 30 years.

**Beautification**

Commissioner Croley said they were sitting on several thousand dollars for beautification and

asked the status of that. Mr. Presnell said the Consultant was working on changing the language and when finished, it would go to DOT for approval and can be re-bid. Commissioner Croley pointed out \$100,000 being sat on and did not want time to run out on that.

**Disposing Surplus County Property**

Asked progress of disposing surplus county property, house that was built, etc. Mr. Presnell stated it had been a bad time and had not had any success.

**Courthouse**

Commissioner Croley also said that during the Courthouse ceremony, there was standing water on courthouse grounds and asked where it came from and wanted to make sure the source was found out in case there was a leaking pipe.

**COUNTY ATTORNEY**

**15. Update on Various Legal Issues**

Mr. Weiss had nothing to report and wished everyone Happy Holidays and Happy New Year.

**DISCUSSION ITEMS BY COMMISSIONERS**

**16. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**Commissioner Taylor**

Commissioner Taylor asked Mr. Presnell if they were in line for RFP for professional services and asked for it in writing so she could keep abreast of it.

Said Ms. Gutchner “seemed to be with it, very bright” and wanted to know her goal on updating the comp plan and land use map. Mr. Presnell said they were going through it section by section.

Mr. Presnell said they will have a land use change to bring before the board soon with a business looking to relocate in Gadsden County.

**Commissioner Morgan**

Commissioner Morgan wanted to say for the record he had completed the ethics course and provided a Certificate of Completion for the Deputy Clerk.

**TDC**

He reminded the Chair there needed to be a new TDC appointment made.

**RFP's**

He asked about Mr. Presnell's contract along with the other professional contracts and if that information would also be sent so they could consider that as well when they were looking at the other contracts.

**Commissioner Croley**

He said he would like to ask that they agenda a discussion to build a new building for the sheriff in front of the jail.

**UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO HAVE A NEW BUILDING**

**FOR SHERIFF PLACED ON THE AGENDA FOR DISCUSSION AND REPORT.**

**Cellular workshop**

He added he was interested in getting a plan in place for cell towers instead of each company building a tower.

Commissioner Holt said that was still part of the comp plan and hoped they could look into meeting an hour earlier for a workshop sometime.

**EDP costs**

He asked the status of the EDP (electronic Data Processing services) costs and knew Mr. Presnell was trying to move to the cloud base on email, etc.

**Agricultural Multi-purpose Facility**

He said the Board had approved a new facility for the agricultural multi-purpose facility and as Chair at the time, had met with various representatives and senators and Senator Montford's office had come up with a budget request form that had been completed and needed to be returned to his office. He added he did not want to return the form without the Commission knowing about it.

**Community Control**

He also said it was his opinion that communities should make decisions of what they want in their neighborhoods.

He then took the opportunity to wish everyone a Merry Christmas.

**Commissioner Holt**

**Workshops**

Commissioner Holt requested information to be brought back to the Board for workshops to start at 5:00 so some of the issues could be addressed.

**Enterprise Zone**

She mentioned the Enterprise Zone and said the property owners and businesses needed to know what their rights were regarding that Zone.

**Affordable Health Care**

She said she was glad Mr. Presnell had brought this up.

**Sheriff's facility**

She said she was in favor of this and they needed to look at benefits, if any, of the ICE program.

**Commissioner Hinson**

**Retreat**

He said he had been discussing a retreat and thought maybe the Board could meet on an odd Tuesday and meet in the Board Chambers or a place of their choice.

Commissioner Holt said Mr. Presnell could poll everyone to see what worked for them.

He added that when he was with the School Board, they had a staffing plan and was not sure how it was done here.

Mr. Presnell said there was an Organizational Chart in place and he would provide the Chair with a copy.

**Beautification Plan**

He said when they were discussing the beautification plan, maybe they could place some palm trees at the interstate exits and this would be something to consider.

**TDC**

He asked Commissioner Holt if she would serve on the TDC.

**Receipt and File**

- a. November 25, 2013 letter from Florida Department of Health (Award of State EMS County Grant ID Code C2020 for \$12,754)
- b. Interlocal Agreement with Gadsden County School Board for Road Maintenance and Special Project Activities (October 1, 2013 Board Meeting-note additional schools added)
- c.

**January Meeting(s)**

- January 7, 2014, Regular Meeting, 6:00 p.m.
- January 21, 2014, Regular Meeting, 6:00 p.m.

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR  
HINSON DECLARED THE MEETING ADJOURNED AT 9:38 P.M.**

**GADSDEN COUNTY, FLORIDA**

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**ERIC F. HINSON, Chair  
Board of County Commissioners**

**ATTEST:**

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**NICHOLAS THOMAS, CLERK**