

**AT A REGULAR MEETING OF THE BOARD OF  
COUNTY COMMISSIONERS HELD IN AND FOR  
GADSDEN COUNTY, FLORIDA ON JANUARY 6,  
2015, AT 6:00 P.M., THE FOLLOWING  
PROCEEDINGS WERE HAD, VIZ:**

Present: Brenda Holt, Chair, District 4  
Eric Hinson, Vice-Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, PhD, District 2  
Gene Morgan, District 3 - absent  
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 Holt called the meeting to order at 6:00 p.m., led in silent 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 Holt asked if there were any amendments to the Agenda and Mr. Presnell stated there was one amendment he would like to add under Awards and Presentations, which was Resolution 2015-001 honoring the First Responders.

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

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Pat Thomas & Associates Insurance Company**

**John Pat Thomas, Pat Thomas Insurance**, appeared before the Board with a late Christmas present and said this was the sixth year the Florida League of Cities, the provider for insurance for the County had returned premiums back and he presented a check to the County in the amount of \$30,021. He added that it represented the County's pro-rata portion of the premium that was divided amongst other members.

Commissioner Hinson said it was always customary with the School Board and he thought they had done so last year, to have a picture taken with Mr. Thomas. Chair Holt pointed out her only concern was she thought he was a contractor.

Commissioner Hinson stated it was no problem with him, that Mr. Thomas had done a great job.

The Commissioners then stepped forward to have their photo made with Mr. Thomas when he presented the refund check to the County.

**2. First Responders Week-Resolution 2015-001**

Chair Holt read aloud and then presented a Resolution to each of the Volunteer Fire Departments and a plaque to the Fire Departments.

#### **CLERK OF COURTS**

Mr. Thomas was present and had couple of positive comments to make. He said regarding the General Fund, he said they had collected about 98.4% of general fund revenue and the fund balance should go up again this year. He added that the Transportation fund, to the credit of Mr. Presnell who held expenses in check, broke even. He reminded them that he had said some months back if the gas prices ever got below \$3.00 a gallon, they would see the fuel tax revenue go up and if gas prices stayed the way they were currently, they could expect the fuel tax revenue to go up this year.

#### **CONSENT**

#### **2. Approval of Minutes**

#### **ITEMS PULLED FOR DISCUSSION**

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

There were no citizens that requested to speak.

#### **PUBLIC HEARINGS**

#### **3. PUBLIC HEARING-Adoption Hearing for the Amendment of the Intergovernmental Element of the Comprehensive Plan**

Mr. Presnell introduced above item and said it was an adoption hearing for the amendment of the Intergovernmental Element of the Comprehensive Plan.

Chair Holt asked if anyone wished to speak regarding this item and there was no-one.

Commissioner Taylor asked for a comparison of the changes.

**Allara Gutcher, Planning and Community Development Director**, appeared before the Board to explain the changes.

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

#### **GENERAL BUSINESS**

#### **4. Public Officials Bond Review**

Mr. Presnell introduced the above item and said this was the Public Officials Bond Review and said that each June and January they were required by County Ordinance to review the sufficiency of all bonds for elected officials.

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

#### **5. Approval of Contractual Agreement Between CenturyLink and Gadsden County BOCC**

Mr. Presnell introduced the above item and said it was for approval of a contractual agreement between CenturyLink and BOCC for ongoing maintenance to dispatch equipment, etc. at the E911 Office.

Commissioner Hinson asked if there were any other bids regarding this item.

**Maurice Peddie, 911 Coordinator**, appeared before the board to address questions of the Board and said was an on-going contract and was specific to their equipment and was a sole source contract.

Commissioner Viegbesie had questions regarding the providers.

Mr. Peddie explained no bids were placed, state funds purchased the equipment, but they required that they be maintained.

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

**6. Approval to Accept the Department of Homeland Security Grant Funding for Local Training, Planning and Exercise Under Contract Number: 15-DS-P4-02-30-01- (CFDA# 97-067)**

Mr. Presnell introduced above item and said it was for approval to accept the Department of Homeland Security Agreement for local Emergency Management Training, Planning and Exercise Contract in the sum of \$12,307 to fund local planning, training and exercise in emergency preparedness for Gadsden County employees, volunteers and citizens.

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

**7. Approval of Revised Agreement Task Authorization and Additional Terms with The Management Experts, LLC to Provide Emergency Management Training**

Mr. Presnell introduced the above item and said was for approval of a revised Agreement Task Authorization and additional terms with The Management Experts, LLC, to provide emergency management training.

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

**8. Approval to Award Bid 14-18 to Gulf Atlantic Culvert Company, Inc. for the Supply of Asphalt Coated Culvert Pipes**

Mr. Presnell introduced the above item and said it was seeking Board approval to award the County contract for the supply of asphalt coated culvert pipes to Gulf Atlantic Culvert Company, Inc. and informed them it was the only bid received.

Commissioner Taylor asked if this was specific for any project or if it was stock-piled.

Mr. Presnell said they were stock-piled and was for ongoing use throughout the year.

Commissioner Hinson asked for a physical address of the company because it only showed a Post

Office box.

Mr. Presnell stated they were located on Tower Road.

Commissioner Hinson asked that in the future, they have a physical address for all contracts they approve.

Commissioner Viegbesie asked if the whole stock-pile was used annually.

Mr. Presnell responded that they were used on a daily basis and they would deliver a truckload at the time and not all at once.

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

**9. Approval of Interlocal Agreement with the City of Chattahoochee Regarding Public Boat Ramp Improvements on the Apalachicola River**

Mr. Presnell introduced above item and said it was for Board approval of an Interlocal Agreement with the City of Chattahoochee for improvements to the public Boat Ramp on the Apalachicola River in the amount of up to \$50,000 and the boating improvement funds would be used.

Commissioner Taylor asked how that amount was derived at.

Mr. Presnell said it was an engineer's estimate and Chattahoochee would award the bid, the County was just approving the Interlocal Agreement with them. He further explained their engineer would do the design and they were responsible for paying the engineer and this was just as they do for road maintenance or building inspections with the cities and municipalities. He also explained they were approving the boating improvement funds and the funds were restricted to boating improvements.

Chair Holt said her concern would be the City bidding it and she would like to see who placed bids on this.

Mr. Weiss explained the reason it was constructed in this matter was the boat ramp was not county property and the County did not want to incur costs or liability associated with what the improvements resulted in and felt the cleanest way to handle it was to reimburse upon the receipts up to a certain amount.

**UPON MOTION OF COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE ITEM UPON RECEIPT OF DOCUMENTATION.**

**10. Approval of the Economic Development Services Agreement with the Gadsden County Development Council**

Mr. Presnell introduced above item and said it was for Board approval of the contract between Gadsden County BOCC and the Gadsden County Development Council, Inc. for economic services.

Commissioner Taylor said she had major issues with some of the items in the contract and asked the attorney if he had reviewed it.

He said he had not reviewed it prior to it being placed on the agenda but did do so before the meeting.

She added that one of the major concerns she had was at the execution of the contract, the County was to advance GCDC \$80,000 without any performance and she thought they were in unison that the contract was to be performance based.

Commissioner Hinson said he felt the need to move forward and approve the contract tonight and then have the attorney review it to see if they should go forward.

Chair Holt asked if the attorney had reviewed the contract.

Mr. Weiss said he had reviewed it, but it was not in his preferred format, but the content was OK.

Commissioner Viegbesie said when he reviewed it, his concern was the same as Commissioner Taylor had expressed, he did not see any measurement for what the money was for and thought that was the ground they had so many differences in and if possible, find a way to add it before the motion to approve it before the money was disbursed.

Chair Holt pointed out attached to the Contract was Exhibit A that showed the deliverables and they could not wait to approve this.

Commissioner Taylor said based on her knowledge, understanding and experience with performance based deliverables; the language had to be one that was measurable. She said the contract had already been approved and she agreed with Commissioner Viegbesie that there needed to be measurable items in the contract.

**CHAIR HOLT CALLED FOR THE VOTE AND SAID THERE WAS A MOTION ON THE FLOOR BY COMMISSIONER HINSON AND SHE MADE THE SECOND. THE BOARD VOTED 3-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER TAYLOR OPPOSED.**

**11. Approval of the Gadsden County Agricultural Education and Promotion Facility Request for USDA Loan and Grant Funding**

Mr. Presnell introduced the above item and said it was for Board approval for applications to be submitted to the United States Department of Agriculture for funding to construct an Agricultural Education and Promotion facility and Farmer's Market.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, BEFORE THE VOTE WAS TAKEN, COMMISSIONER TAYLOR HAD A QUESTION.**

Commissioner Taylor asked that the Administrator finish his dialogue.

Mr. Presnell wanted to make sure it was clear with the Commissioners that they may or may not receive the \$200,000 grant and there was a \$300,000 low interest loan and was to work on the complex they were trying to build.

Commissioner Viegbesie said at the funeral for Sheriff Larry Campbell, he happened to see Senator Montford and he offered his assistance in whatever might be needed.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE ITEM.**

**12. Approval of Interlocal Agreement for Planning Services with the City of Midway for FY 2014/2015**

Mr. Presnell introduced above item and said it was approval of an Interlocal Agreement for Planning Services with the City of Midway for the fiscal year 2014-2015.

Commissioner Viegbesie asked if there was money budgeted for this item.

Chair Holt pointed out this was an Interlocal Agreement where the County provided the services to Midway and would be reimbursed by Midway.

**UPON MOTION BY COMMISSIONER HINSONA ND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**13. Approval of Interlocal Agreement for Road Maintenance and Special Projects with the City of Quincy**

Mr. Presnell introduced the above item and said it was for approval of an Interlocal Agreement for road maintenance and special projects with the City of Quincy. He added this was done annually as a group and something happened and it was not signed and he would let the attorney explain.

Mr. Weiss explained that on September 16, 2014, the Board approved all the Interlocal agreements with all the municipalities and the School Board and this was substantially similar to the one on the agenda. He further explained that when the City hired their permanent attorney, he contacted Mr. Weiss and informed him that the Agreement had not been approved yet and he had a couple of concerns with the Indemnification provision in paragraph 10. Mr. Weiss said he wanted to add “to the greatest extent permitted by law” and a statement that the City was not waiving its sovereign immunity by entering into this Indemnification provision.

Commissioner Viegbesie asked if a driver hit a pothole on a county road and within city limits, then the County could not be held responsible or sued to replace a damaged rim.

Mr. Weiss explained the intent of the paragraph was there were numerous roads within the city’s jurisdiction which was owned by the County prior to incorporation or annexation by the City, so they are titled in the County’s name, but maintained by the City and was the City’s responsibility for maintenance. He added that the intent of the paragraph was even though the County was maintaining the roads; it was being done as an independent contractor. He further stated if the County was sued and the claim was that the County was somehow negligent in the maintenance, they would indemnify the County, basically pay whatever portion of the claim the County was found responsible for up to their limits of sovereign immunity.

Commissioner Taylor asked where there was a county road that was within the city limits.

Mr. Weiss said there were a number of roads that were titled in the County's name.

Mr. Presnell said there were several, for instance Mainstreet in Chattahoochee.

Chair Holt said there had been problems when citizens had been annexed into the city and the roads were not and they were not aware of that.

Commissioner Viegbesie asked if an organization wanted to have an event and use a particular road and it was part of the County highway, but was within the city, who would they would go to get their permit from?

Mr. Weiss responded if the County had jurisdiction, authorization would come from the County, but depending on why they wanted the road closed, additional authorization may have to come from the City as well.

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

**14. Approval to Confirm the Appointment of the Library Services Director**

Mr. Presnell introduced above item and said it was for Board confirmation of Tabitha Washington as the Library Services Director.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE AND HE REQUESTED THE FREQUENCY OF THE MOBILE UNIT TO MIDWAY, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE TABITHA WASHINGTON AS THE LIBRARY SERVICES DIRECTOR.**

**County Administrator**

**15. Update on Various Board Requests**

Mr. Presnell said the Gadsden County Public Safety Coordinating Council decided they would like to have bi-annual meetings and it would be coming up.

He said they were waiting for nominations for the Senior Citizen board.

He added that Carla from Rep. Williams's office made contact and set the date for Monday, January 26 at 6:00 p.m. for the Legislative Delegation Meeting here and notices would be sent out

He reminded them that the Crappie tournament would be one week from Friday and a lot of folks were coming from out of town visiting the County.

**COUNTY ATTORNEY**

**16. Update on Various Legal Issues**

Mr. Weiss said he had nothing to report, but was happy to answer any questions and there were none.

**DISCUSSION ITEMS BY COMMISSIONERS**

**17. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**Commissioner Anthony “Dr. V” Viegbesie, PhD – District 2**

Commissioner Viegbesie said he had nothing specific with regards to District 2, but wanted to tell the Commission Happy New Year and hoped the Board comes together, and grows to where they do not take comments personally and there were no personal attacks.

**Commissioner Gene Morgan, District 3**

**Commissioner Sherrie Taylor, District 5**

Commissioner Taylor asked the progress on Hogan Lane.

Mr. Presnell said it was being designed and may have to wait until they received the grant dollars, but once done, it would be ready to go out for bids.

She then said at one time they were looking at refinancing the bond, and asked where they were at with that.

Mr. Presnell said they would probably see it in March, that by law they had to wait twenty-four months from the previous refinancing.

She added that she appreciated having the First Responders at the meeting tonight and appreciated the report from the Clerk.

**Commissioner Eric Hinson, Vice-Chair, District 1**

Commissioner Hinson dittoed everything Commissioner Viegbesie said and thanked Major Shawn Wood for doing an outstanding job along with Curtis Young the past couple of weeks with the severe weather.

He also mentioned that he would like to have a retreat to identify an aim and get direction.

**Commissioner Brenda Holt, Chair, District 4**

Chair Holt said she had received several complaints regarding Stephens School from the roof to contracts to people asking for items from there and asked that it be placed on the agenda ASAP since the property was owned by the County Commission.

Commissioner Taylor asked for clarity because a program that she started was at that building and she had a sub-lease with Carolyn Ford and asked if there were a problem with that agreement.

Chair Holt said that the agreement was still in place, but that was not the concerns she was hearing.

She also said they should be concerned when there were no applications for new development under public hearings.

She added that they really needed a project manager on board.



Commissioner Viegbesie said Commissioner Hinson raised a concern at the last meeting regarding the job position classification and asked if that was something Board was going to visit.

Chair Holt said that could be determined by the Board, however they wished to do it, but she was more concerned that they had a specific person on staff that was a professional.

Commissioner Holt asked the Administrator who was currently handling those responsibilities.

Mr. Presnell responded that it depended on if they were talking legislative or administrative, and added they were going to need to discuss it further.

Commissioner Taylor said this was an item that needed to be entertained during the budget season and felt it was not something for them to go forward with in the middle of the fiscal year because an enormous amount of money had been spent this year, but agreed it was a great idea.

Chair Holt said she wanted it on the agenda, there was money for those things and there was more than \$3 Million in reserve, more than what the State required.

#### **RECEIPT AND FILE**

- 18.** a. Gadsden County Division of Emergency Management Quarterly Report (August 1, 2014-November 3-, 2014)  
b. December 12, 2014 Letter from Mediacom  
c. December 12, 2014 Letter from Mediacom

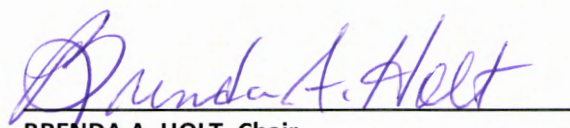
#### **UPCOMING MEETINGS**

- 19.** January 20, 2014 – Regular Meeting at 6:00 p.m.  
February 3, 2015 – Regular Meeting

#### **MOTION TO ADJOURN**

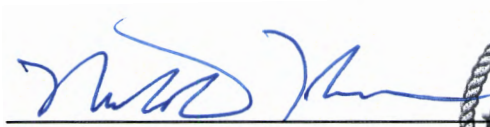
**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 7:30 P.M.**

**GADSDEN COUNTY, FLORIDA**

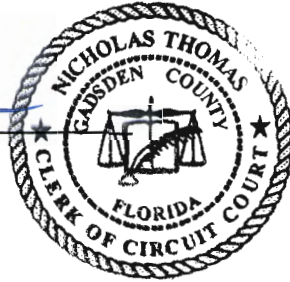
  
**BRENDA A. HOLT, Chair**

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 JANUARY 20,  
2015 AT 6:00 P.M., THE FOLLOWING  
PROCEEDINGS WERE HAD, VIZ:**

Present: Brenda Holt, Chair, District 4  
Eric Hinson, Vice-Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, PhD, District 2  
Gene Morgan, District 3  
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 Holt called meeting to order at 6:00 p.m., called for a moment of silence and then led in 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 Holt asked if there were any amendments to the Agenda and Mr. Presnell stated he would like to remove Item 2 from the Consent Agenda and replace it as 4A under General Business.

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

**AWARDS, PRESENTATIONS AND APPEARANCES**

There were no awards, presentations or appearances.

**CLERK OF COURTS**

Mr. Thomas was present and there was nothing to report.

**CONSENT**

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

1. Approval of Minutes
  - a. November 18, 2014 Regular Meeting
2. Approval to Sell Surplus Equipment/Vehicles at Auction
3. Approval of Adopt-A-Road Agreement with the Mt. Pilgrim P.B. Church Men's Ministry

**ITEMS PULLED FOR DISCUSSION**

There were no items pulled for discussion tonight.

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

There were no citizens that requested to speak.

**PUBLIC HEARINGS**

**GENERAL BUSINESS**

**4. Approval to Appoint New Library Commission Member**

Mr. Presnell introduced the above item and said was for approval to appoint a new library commission member, Ms. Shelanda Shaw.

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

**4A Approval to Sell Surplus Equipment/Vehicles at Auction**

Mr. Presnell said this item was for board approval to sell surplus equipment and if they approved to declare as surplus, Gretna had requested a government-to-government sale of one of the tractors and if approved, it could be included in their motion.

Chair Holt said Gretna was in her district and she would like them to have the opportunity to get the tractor.

**UPON MOTION BY CHAIR HOLT FOR APPROVAL AND SECOND BY COMMISSIONER VIEGBESIE, THERE WAS DISCUSSION BEFORE THE VOTE.**

Commissioner Morgan asked the amount that the City Manager of Gretna and he had agreed on and Mr. Presnell stated \$10,000.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE ITEM WITH THE SALE OF ONE MOWING TRACTOR TO THE CITY OF GRETN.**

**5. Appointment to the CareerSource Capital Region Board**

Mr. Presnell stated this item was for an appointment to the CareerSource Capital Region Board and said the request was to replace Ms. Linda Rumph, who resigned with Mr. Scott Watson, Vice-President of Concrete Services, Inc.

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

**6. Commission Appointment to Serve as Liaison to the Regional Workforce Board**

Mr. Presnell introduced the above item and said it was related to the same board to appoint one commissioner to serve as a liaison to the Regional Workforce Board.

**UPON MOTION BY COMMISSIONER VIEGBESIE TO APPOINT COMMISSIONER ERIC HINSON AND SECOND BY CHAIR HOLT, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE**

**APPOINTMENT.**

**7. Approval of Bid Award and Contract for Collection Agency Services with Ellis, Ged & Borden, P.A.**

Mr. Presnell introduced the above item and said it was for Board recommendation of a contract for debt collection for overdue debts from automobile insurance companies and further explained it was a specialized area of debt collection due to statutory requirements associated with automobile insurance.

Commissioner Hinson and Commissioner Viegbesie asked how this item was bid because they were seeing where only one person bid on items.

Mr. Lawson came forward and said this was a specialty item and was put on the website and was advertised in local papers and there was only one response received.

**COMMISSIONER HINSON MADE A MOTION TO APPROVE AND WAS SECONDED BY COMMISSIONER VIEGBESIE, BEFORE THE VOTE WAS TAKEN, THERE WAS DISCUSSION.**

Chair Holt said it seemed to be the same companies bidding, maybe they needed to change the way they advertised and maybe should advertise in the Tallahassee Democrat and with the Association of Counties also.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**8. Debbie Atkins; Parcel No.: 2-15-3N-6W-0000-00413-1500/Code Enforcement**

Mr. Presnell introduced the above item and asked if the Board wished to clean up the property and have a lien placed on the property and the costs was approximately \$8,500.00. He also said the other alternative was to request an order to assess the costs and fines to be recorded as a lien on the property and the property would still not be cleaned up.

Commissioner Viegbesie asked if all necessary steps had been taken to give the property owner the chance to correct the problem and Mr. Presnell responded they had.

Chair Holt said this property was in Commissioner Morgan's district and asked if he had any thoughts.

Commissioner Morgan said he was in favor of it and added that there were those that would comply and those that would not, it was unfortunate, but this was the reason they had code enforcement policies in place.

Mr. Weiss clarified the process taken.

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

Commissioner Hinson asked how many contractors had placed a bid on this item.

Clyde Collins appeared before the Board and said there were two bids, Barnes Equipment and Johnny Stone.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, BEFORE THE VOTE WAS TAKEN, THERE WAS DISCUSSION.**

Chair Holt asked if the property owner was notified of this meeting.

Mr. Presnell said the property owner would be notified of their decision tonight and would still have a chance to correct the problem herself if she chose to do so.

Mr. Collins was not sure if she was notified of tonight's meeting but she had appeared before the Magistrate in earlier proceedings, she had received certified mail and knew this was coming.

Mr. Presnell stated this would give Staff the authority to go to her and give her another chance to correct it.

Mr. Weiss stated they were in compliance with the Ordinance and Statutes.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**9. Review and Approval of the 2015 Legislative Priorities**

Mr. Presnell introduced above item and stated it was for review of the County's 2015 Legislative Priorities to be presented to the Gadsden County Legislative Delegation on January 26, 2015 and if they approve the items, to please include them in the motion.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, BEFORE THE VOTE WAS TAKEN, CHAIR HOLT ASKED TO MAKE A COMMENT.**

Chair Holt asked Ms. Bleakley to step forward and to ask her questions.

Chair Holt stated they needed to do better on trying to get more projects out and said she knew they were putting in for water projects, Medicaid Reform, high priority and Enterprise Zone. She said they went after Courthouse money a few years ago and asked if they "needed to beef up more projects".

Ms. Bleakley said there was a lot going on in the document and the reason for the one-pager, was to provide assistance to the Delegation for them to be able to see what the Board's priorities were. Commissioner Hinson asked about the airport.

Commissioner Viegbesie asked similar questions.

Ms. Bleakley addressed their questions and concerns.

Al Lawson appeared before the Board to also address their questions and concerns.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**



**10. Discussion of the Establishment of a New Staff Position**

Mr. Presnell introduced the above item and said the Chair requested this item be brought back for discussion of possibly establishing a new staff position.

Chair Holt explained this was basically the same position Charles Chapman had and asked if there were any comments.

Commissioner Taylor said she was concerned about the Board looking at a new position in the middle of the fiscal year and asked the Administrator if the position was needed or if they could wait until they were into the budget meetings and added she did not think it was fiscally responsible for them to entertain this position at this time.

Mr. Presnell said one of their concerns was how to pay for it and added that since the last meeting and looking into it he wanted to give them some options if they did decide to approve it at this meeting, and added the reserve contingency account still had \$45,000 in it and they could find some other money somewhere and would not be comfortable at tapping out the contingency fund at this time of year. He said the other option would be to draw from the general fund balance, which would require an amendment to the budget.

Commissioner Hinson asked how much the budget was currently and Mr. Presnell responded \$45 Million. He then said a position was added with Property Appraiser's Office earlier and he had a concern and thought they needed to hold off until the budget was set.

Commissioner Viegbesie said his position was the same with regards to bringing in a new staff position in the middle of the fiscal year and it would create a disruption of the present budget and more was involved than salary, they would have to add to the pension, fringe benefits, insurance, etc., and the job description for this position should include grant writing skills.

Chair Holt said that was exactly why she asked for the position and added they were looking at timeframes they were not even considering. She said they needed someone who could go after the money and could manage it once it was received. She further stated that if they were concerned about affording it, when Charles Chapman left that money was saved and had been saved since he had been gone.

Commissioner Hinson stated the position was still here.

Commissioner Hinson asked the status of the grant position.

Mr. Presnell said they had re-advertised that position this week.

Commissioner Morgan asked to discuss the item that was currently before them and said it specifically stated they were looking at a "position whose duties would entail, but not be limited to, researching, monitoring available resources and soliciting projects as directed by the Board". He said when he saw the item he called the Administrator and asked if he thought the position was needed.

Mr. Presnell responded "The Board comes up with specific duties, additional duties that you want to do and we need a position, obviously we recommend that back to you, but there is not outlying,

I don't know enough about what this Board, as a body..."

Commissioner Morgan said Mr. Presnell's response to him was not that long when they talked and asked him what his answer was when they discussed this.

Mr. Presnell stated "I'm not sure, but, probably, you're asked me if we need the position?"

Commissioner Morgan said "Correct".

Mr. Presnell responded "It was probably was no."

Commissioner Viegbesie said this item was for discussion and asked when this was advertised, what media was used and said maybe they should expand the search and the way things were advertised because the current way may not have a good pool of people for that particular position with the knowledge and ability.

Chair Holt stated she was very adamant about this position and told citizens in the audience they could stop laughing. She said the reason she was adamant, if someone asked her how to write a grant for certain things, she was unable to do that.

Commissioner Taylor said what she was hearing around the board in the majority was it was not a bad idea for the position but was wrong timing. She added that it was her opinion that they needed to see a need to fill position and asked them to be realistic, the position had been gone well over three years and asked if it was needed at this time. She felt there needed to be more dialogue with GCDC because if there needed to be a project director or someone to manage projects, she could not see where because all the grants that would impact the County already had someone overseeing the grant, i.e., the Sheriff's Department, Economic Development, Roads and the Clerk's Office and those projects were already being managed in-house from the different constitutional officers.

Commissioner Hinson said there were a few things that could be used, i.e recreational parks, affordable housing, and there was no-one to focus on those areas.

*Chair Holt stepped out at this juncture of the meeting.*

*Chair Holt returned.*

Commissioner Hinson said they were in serious need for the Library with computers and other places they had outdated systems that was in the 21<sup>st</sup> century and we were not there yet and we needed to keep up with 21<sup>st</sup> century equipment. If there were a grant-writer, that person could focus on those areas. He pointed out the census report and said that would tell them everything a grant writer was needed for.

Chair Holt said regarding this position, there was no way they could expect the Manager to say the position was not needed if they had never had it.

Commissioner Hinson said "If you look at any functioning governmental body, I think, if I'm not mistaken, the school board whatever, they have a person who write grants, they also have a



person who look over, who check it out, you know, you got to, like it is, you look at your entity (inaudible) they try to make sure that their grants is in compliance and so they do have people who oversee it and make sure everything is in order”.

Commissioner Viegbesie said the item on agenda stated was project coordinator/manager position and every program had a program manager so there was no need someone personally specifically to be referred to as the program or project manager and believed they needed someone to bring funds and when the funds came in, if the monies were generated for parks and recreation that that money would go to parks and recreation to be managed by that department program manager, and if the money was for housing and there was no housing project in place, then they create a housing project or program and hire someone who understood housing and development to become that project manager. He further added if he read the Agenda Request correctly, to get a project coordinator manager, it's saying they needed someone to manage all of the existing projects that they already had and he believed that was what the County Administrator did. He felt that the County Administrator was the overall project manager and what they should be concentrating on was someone who could bring funds in to have in hand the existing projects and bring other projects needed.

Chair Holt said they were going to make this short and there was no vote, but she was stating there was no money coming in, the grant position had already been approved. She added that this was not for a vote, but was for discussion and she would bring it back ten times if she needed to do so.

Commissioner Morgan pointed out that the item specifically asked for Board direction so he thought they should be clear as to how the Administrator was led moving forward regarding this matter. He said he understood her position of “kicking and screaming and moving forward. I'm going to kick and scream and say we don't need a position just for the sake of having a position. I asked the Administrator and he clearly told me there is no need for this particular position and just like Commissioner Viegbesie stated very eloquently and precisely, in my opinion, we have department managers for specific positions if something were to come up in the future where we needed a full-time position, that as he also stated, requires benefits, retirement, money and everything else, when in the long run we could be hurting ourselves by establishing a position just for doing that. If we need to do it in the future, we can look at it in the future. Right now we clearly don't need that and I would venture to tell you that I think we have taken a lot of steps forward in applying for specific projects, we've come a long way in what we've talked about earlier in legislative priorities, including the CRPTA organization. We've got several projects that are going to be funded. We have a lot of grants that this County has gone after and received. So, we're focusing on the wrong thing in my opinion. What we need to do, rather than try to run day to day operations of the County, we need to set policy that makes good sense, like we've done for the past years that have gotten us out of being in financial straits, in a better position where now we have money in the bank and we are getting good audits and we are having success in getting projects. I think things are far from grim, I guess I should say, and to that end, I think we should advise our Administrator what it is we want him to do from this point forward. From my chair, we don't need a position at this time. Thank you.”

Chair Holt said she was glad he made that comment about things going so well and about not micro-managing the County because “in 2009 and '10, that's what happened, that's what got...”.

Commissioner Morgan said he was not aware of that happening.

Chair Holt said "I'm just saying that's what..."

Commissioner Morgan stated he thought she was incorrect in her comments.

Chair Holt said "No, but that's what got us into that lawsuit, remember, we were over at the Courthouse..."

Commissioner Morgan said "No ma'am, that's not what got us into a lawsuit."

Chair Holt said "Yes it is."

Commissioner Morgan said "Not micro-managing the County".

Chair Holt said "OK, ok whistle-blower. Alright, now, what is the direction of the rest of the Board?"

Commissioner Hinson said he thought they should allow the County Manager to do research on this matter and bring it back to the Board.

Commissioner Viegbesie moved that the determination of whether or not they need a new position should be left in the hands of the County Administrator who would let them know if they need someone to tell them what they need to have done after they determine the position was really needed. He then added that the County Manager could come up with a job description that they approved and then advertise for the position.

Chair Holt said there seemed to be a consensus with Commissioners Viegbesie and Hinson for the Administrator to do research and bring it back and she hoped the other two commissioners agreed with that also.

Commissioner Taylor said she agreed and did not want to be redundant, but would make her comments to the Manager and said if looking at the description of the grant writer needed to be broadened to include additional responsibilities, then OK because that position was already funded.

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

Commissioner Taylor said if the Manager saw the need for such a need and to let it be his decision and be able to defend it, then she was willing to entertain it.

Chair Holt said her comment was different, a grant writer's job was to go after grants and the other person's job was to manage, because if the grant writer became overwhelmed, they would have to slow it down and stop doing what they were doing and it was her opinion to not look at that, to look at it as a separate position.

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

Commissioner Viegbesie asked to move item.

Commissioner Morgan said he would second Commissioner Viegbesie's motion, but it was for discussion only and there was no reason to put it in a formal motion and second. He added that he could come around to what the discussion was...

Chair Holt interjected and said for them to go ahead and approve it.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO HAVE THE MANAGER RESEARCH THIS AND BRING IT BACK TO THE BOARD.**

#### **COUNTY ADMINISTRATOR**

##### **11. Update on Various Board Requests**

Mr. Presnell said he wanted them to know that he agreed with their assessment on advertising the grant writer position that was re-advertised and said \$700 was spent in reaching out to other places and hoped that the position was so successful there would eventually be a need for two grant managers.

He also asked if they knew anyone that was concerned about serving on a Focus Group, if they knew of anyone concerned about their community and was willing to meet and bounce ideas around to move the County forward and would like a mixture of folks, young and old who could think outside of the box.

Commissioner Hinson asked to put Shirley Arran on the list and that she was a go-getter.

Commissioner Viegbesie said he would provide his nominee by email to the Administrator.

Mr. Presnell reminded them of the Legislative Delegation meeting scheduled for Monday at 6:00 p.m.

He said there was an art exhibit at the library and would be there until January 23<sup>rd</sup>.

He informed them the grant was received for two years for the Gadsden Connector and would connect with the Gadsden Express that currently ran from Quincy to Midway to Tallahassee several times each day and will be adding routes from Chattahoochee, Havana, Greensboro, Gretna and a more formal announcement was to come. He asked that each of them help spread the word in their Districts because they were hoping to make this a huge success. He said the weak link was the Quincy Shuttle, and said certain places were needed for the van to move folks around and recommended to them that a portion of what was budgeted for the Shuttle and if they approved, could he bring back an item that would connect with the bus system in town to get folks to doctors, Walmart and certain other key places.

Chair Holt asked for more information and details to be brought back to them.

Commissioner Taylor concurred for more information to be brought back and asked when the grant and route would take effect.

Mr. Presnell said it would take effect on February 1<sup>st</sup>.

Commissioner Viegbesie asked if they had a social media account it could be posted to and Mr. Presnell said yes, there was a Facebook and Twitter account.

Commissioner Hinson asked for an official letter.

Commissioner Viegbesie said they could also provide a copy of the letter to the churches to help spread the word.

Mr. Presnell said pamphlets were also being printed.

Commissioner Morgan asked for an update on the Quincy By-pass extension and Mr. Presnell said it would be in Commissioner Viegbesie's comments.

Commissioner Morgan then asked about the contract with the Small Business Consulting Center and had received a call that it had not yet been funded and they had not seen the contract and asked for an update.

Mr. Presnell asked the Chair to update them.

Chair Holt stated the Chamber was to bring information and it had not been supplied yet.

Commissioner Morgan said they had voted on the funding and it was approved around the Board and the Contract needed to be brought before them, whether they were going to approve it or not or if more information needed to be provided. Commissioner Morgan then stated they had approved the item and it needed to come before the Board and that he was specifically "requesting that the item that we voted on and approved be brought before this Board to execute that contract."

Chair Holt said "I have no problems with it."

Commissioner Morgan said that was his motion and asked if a second was needed to get it in the Agenda.

Chair Holt said no.

Commissioner Morgan asked what they were going to do to get it in the Agenda.

Chair Holt stated all he had to do was provide the information.

Commissioner Morgan informed her that was between her and Mr. Gardner and was not to be held up around the Board to the citizens...

Chair Holt cut him off and stated Commissioner Viegbesie was going to speak on it.

Commissioner Viegbesie said the Board did approve the money and what happened in the past should not be a deterrent of the execution of what they had already approved. He said what they



were looking for was the contract that contained what they were asking for and if that contract was provided by GCDC with deliverables and benchmarks, the money could be disbursed. He further stated if the Chamber could provide a copy of the contract of what they were contracting, then it should be presented for approval and the money be disbursed.

There was further Board discussion. For more information, please visit [www.gadsdenclerk.com](http://www.gadsdenclerk.com).

Commissioner Taylor cautioned them to be careful to not land themselves in a lawsuit because it was public record and had been said what they were supposed to do with regard to approving and executing the contract. She added that if they did not add that more information was to be provided, then they were circling themselves in troubling water where they could possibly get themselves into some issues.

**UPON MOTION BY COMMISSIONER MORGAN TO HAVE THE CONTRACT WITH CHAMBER OF COMMERCE SMALL BUSINESS SERVICE CENTER BE PLACED ON THE NEXT AGENDA AND SECOND BY COMMISSIONER VIEGBESIE AND THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS.**

Commissioner Morgan said the expenses that were budgeted for the BOCC meetings to be televised in the past, what where they and Mr. Presnell responded it ran approximately \$12,000.

Commissioner Morgan said he hoped they could have a serious discussion regarding it.

#### **COUNTY ATTORNEY**

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

Mr. Weiss said he had an update regarding a pending litigation, SM Financial v. Gadsden County, and that they were successful at trial court level to have the lawsuit dismissed, they appealed it to the First DCA and they were successful in arguing and getting the dismissal affirmed and they were successful in their motion for attorney fees that was granted.

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

##### **13. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

###### **Commissioner Anthony "Dr. V" Viegbesie, PhD, District 2**

Commissioner Viegbesie updated the Board on the recent CRTPA meeting and said there was a long list of projects that have been approved and gave a list of said projects.

*Chair Holt stepped out at this juncture of the meeting.*

Commissioner Viegbesie gave a list of traffic lights that would be placed at interchanges and road resurfacing updates and the airport runway expansion. He then informed them there would be another meeting on the 9<sup>th</sup>.

*Chair Holt returned at this juncture of the meeting.*

He said they would be having a conversation as to where the Quincy Bypass would go with the

next phase of the expansion.

He also mentioned the need of a traffic light at the other end of the By-pass and was asking FDOT engineers to take look at that need.

He said another item he was interested in was a vision of having a Performing Arts Center in Gadsden County and said there was a school that was sitting there and understood the School Board was asking \$790,000. He added that Stones was interested in purchasing half of that property to expand their store and Teligent was also interested in moving to expand. He suggested the Chair have a conversation with the School Board Administrator to see if the property could be used as an aspect of economic development.

**Commissioner Gene Morgan, District 3**

Commissioner Morgan had nothing to report.

**Commissioner Sherrie Taylor, District 5**

Commissioner Taylor asked the County manager with regards to the Code Enforcement case on the Agenda earlier what the County was doing to recoup money that was expended on the clean-up of the properties.

Mr. Presnell explained a lien was placed on the property and nothing could be done until the owner or family decided to sell or dispose of the property. He added that they had managed to collect on a couple of the properties after a lien was placed, it was paid off.

Mr. Weiss said there was a way to foreclose on liens if the County was the first lien owner on the property. He added there would be expenses that they would incur going through those proceedings.

She said it was good news regarding the expanding of the shuttle route and said she has been asked about expanding the route to Tallahassee on Saturdays. She also mentioned discussing this with the City of Quincy with regard to assistance and if they could contribute anything.

She asked and said the Attorney may have to help, but with regard to Robert's Rule of Order with regards to the Chair having the authority of saying what went on the agenda and did not go on the agenda and it concerned her. She added that when she served as Chair, they did go over the Agenda to help facilitate the meeting, but with regard to having the authority to say what did and did not go on it, she was concerned.

Mr. Weiss said the Ordinance was what governed that and provided that the County Administrator prepare the agenda and it was to be approved by the Commission as a body not the Chair.

Commissioner Taylor said they might want to be cautious because it tended to put them into more of a totalitarian government and it was a dictatorship when one could orchestrate or determine what came before them as far as the Commission. She felt the Administrator should be allowed to bring items to them and then discuss it as a body and get the support as a body.

Chair Holt commented that she had not been there when the Chair had not done that and there had been items that had not gone on the agenda because that was what the Chair did. She further

stated that the Chair always consulted with the Manager about the agenda.

Commissioner Viegbesie said what he heard regarding this conversation was a break-down of communication. He said if they took their personal differences out of their role as commissioners, there was no reason why the commissioner could not go to the Chair and say would like to have a particular item on the agenda. He stated they needed to take their personal feelings out of doing the work of the commission so there was an accepted communication to do the work of the people of the County.

Commissioner Taylor said she still had the floor and said she had asked the attorney for a legal opinion so it did not give the premise of anything personal, and added that her concern was that they have a Board that was about the business of the people they represent and it be done above-board. She said she was simply asking to follow Robert's Rules of Order. She mentioned the Small Business Service Center contract that had not been placed on the Agenda and said if they let that "Pandora's Box" open, then it would appear that she chose not to put it on the agenda. She said if the Agenda became over-loaded, then the Manager could look at it and use his discretion. She added that she was concerned as anyone around the dais about the movement of the County and prayed daily that they got along as one and work together.

Chair Holt responded the item was not on the agenda because the man did not do what he said he would do. She said people usually had a concern about the Chair when they were not in the majority and did not know what that was a concern because there was no majority there. She said her concern was that everything ran smoothly, not necessarily that they all got along, because they did not have to get along to do a good job. She further added that it had always been the policy and procedure, whether in writing or not, that the Chair approves the agenda and it has worked fine.

**Commissioner Eric Hinson, Vice Chairman, District 1**

Commissioner Hinson asked about the status of the Highway 12/Concord red light because he was still receiving complaints and emails regarding the issue.

Mr. Presnell said when it was brought up before, they had it evaluated and they were told the light was not warranted and would probably have to wait until the budget process and see if the County could do it.

He then thanked the citizens that participated in the Martin Luther King service.

**Commissioner Brenda Holt, Chair, District 4**

Chair Holt said there was an Auction in Midway and hoped that in the future they could offer the auction items to local people first.

She said she wanted to look at any grants they had under \$25,000 and was interested in how they were doing with them.

She then said that regarding Creek Entertainment Gretna, she testified before a committee in Tallahassee and so did Mr. Jefferson and others that represented the Creek Tribe and they testified before the State Committee Commission to see if they could get around some of the items they were trying to bring in place now that would restrict and almost shut down the poker room. She

told the people of the Committee that the County voted for the referendum and was approved by the County and now the State Commission was trying to say the County could not have what was approved under their rules was not logical. She said what they were trying to do was get the 2,000 jobs they were told was a possibility for the people of Gadsden County.

Commissioner Viegbesie said (inaudible) and the application of (inaudible) differed dependent on if the County was chartered or non-chartered, we are a non-chartered County and on that ground, we do not have too much of a discretion as to what to do based on what the State said should be done.

Chair Holt said in the State Statute that they filed the paperwork and with the referendum, it did not state whether the County had to be a charter or non-charter, but she understood what he was saying. She said the State of Florida was looking for information in their own gaming and currently it just happened to be on the horse track.

Commissioner Hinson asked for a flow sheet for all expenditures under \$25,000.

#### **RECEIPT AND FILE**

14. a. Certificate of Completion-Ethics, Public Records, and Sunshine Laws Workshop, Part 1 – Part 3  
Commissioner Holt
- b. Certificate of Completion-Ethics, Public Records, and Sunshine Laws Workshop, Part 1 – Part 3  
Commissioner Morgan

#### **UPCOMING MEETINGS**

15. February 3, 2015 – Regular Meeting  
February 17, 2015 - Regular Meeting



MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 8:20 P.M.

GADSDEN COUNTY, FLORIDA



  
BRENDA A. HOLT, Chair

ATTEST:

  
NICHOLAS THOMAS, Clerk

AT A REGULAR MEETING OF THE BOARD OF  
COUNTY COMMISSIONERS HELD IN AND FOR  
GADSDEN COUNTY, FLORIDA ON FEBRUARY 3,  
2015 AT 6:00 P.M., THE FOLLOWING  
PROCEEDINGS WERE HAD, VIZ:

Present: Brenda Holt, Chair, District 4  
Eric Hinson, Vice-Chair, District 1-arrived late  
Dr. Anthony "Dr. V" Viegbesie, PhD, District 2  
Gene Morgan, District 3  
Sherrie Taylor, District 5  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

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

Chair Holt called the meeting to order at 6:00 p.m., asked everyone to stand for a silent prayer and then led in 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 Holt asked if there were any amendments to the agenda and Mr. Presnell said he would like to add Item 1A, Mr. Alex Quantana, Field Representative with Senator Gwen Graham's office was present and asked to pull Item 8 and said they would re-submit at a later date.

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

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Recognition of Americorps Gadsden Reads**

Chair Holt asked everyone to step forward for the Presentation of the Plaque.

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

Chair Holt read the proclamation aloud and then presented it to Americorps Gadsden Reads.

**1A. Alex Quintana, Field Representative with Representative Gwen Graham's Office,**

Alex Quintana, Field Representative for Representative Gwen Graham, appeared before the Board and said she had asked him to visit the District because she was going to start having office offices in each county once a month.

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

**2. Update from Bid Bend Transit Regarding the Gadsden Connector**

Shawn Mitchell, General Manager, Big Bend Transit, appeared before the Board to give an update regarding the Gadsden Connector that Mr. Presnell had mentioned at the last meeting.

Gadsden County Board of County Commissioners  
February 3, 2015 – Regular Meeting

Mr. Mitchell stated they had been working hard to provide transportation to the citizens of Gadsden County and the last two years he has been working with the Administrator to find solutions to the problems.

*Commissioner Taylor reappeared at this juncture of the meeting.*

He said they reached out to the State and received grant money for two years to help provide transportation from Chattahoochee, Greensboro, Gretna into Quincy to Havana and back several times a day and were hopeful the service would give people in Gadsden County an opportunity to move about for educational, work or commerce in general. He further explained the cost was a fixed rate of \$1.00 per passenger trip.

Commissioner Taylor thanked him and said was happy to see it become where more could take advantage of the services. She said when she sees the transit come from Tallahassee to Quincy; it was always  $\frac{3}{4}$  to full capacity. She asked if the Shuttle around the area would be activated and was informed that it was on the agenda later at this meeting.

Commissioner Hinson thanked him for attending the meeting. He asked about expanding the services and having different “drop-off” spots. Commissioner Hinson added that when the commissioners held their retreat, Mr. Mitchell should attend.

Mr. Mitchell explained that he spent a lot of his time looking for grant money because he realized this was a small county and did not have a lot of money and wanted to tap into all State and Federal resources possible.

Chair Holt said when this started initially, it was done with Star Metro and the agreement fell through and still wanted to look at transportation issues because the bus leaving Quincy was too small. She said it was great they were looking for grant money, but they also were looking for opportunities.

Mr. Mitchell said he met with Mr. Presnell a few weeks ago and he will be coming to the Board in an upcoming meeting regarding matching funds a little more so they could add more trips.

Mr. Presnell asked him to enlighten the Board regarding the “Call Ride” program.

Mr. Mitchell said they were getting some funding opportunities in place and said they had van pools and with the program in place, if they used the Gadsden Express or the van pool service and need to go home early, there was a voucher program where they would be given a voucher for a taxi ride back to Gadsden County.

**CLERK OF COURT**

Mr. Thomas was not present and there was nothing to report.

**CONSENT**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE**

**BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

- 3. Approval of Minutes**
- 4. Approval of Signatures for Special Assessment Liens and Rehabilitation Contract-SHIP Program**

**ITEMS PULLED FOR DISCUSSION**

There were no items pulled for discussion.

Commissioner Hinson wanted to recognize Black History Month and thanked everyone for their sacrifices over the years and who paved the way.

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

Mrs. Kruize, Quincy Inn, Black Heritage Museum

**PUBLIC HEARINGS**

**5. PUBLIC HEARING-First Public Hearing Regarding Community Development Block Grant Application for the Purchase of a New EMS Facility**

Mr. Presnell introduced the above item and announced it was the first public hearing to discuss the CDBG Block Grant for the purchase and renovation for a new EMS facility and required two public hearings to be able to move forward with the grant. He further explained as part of the application process, it required a Citizens Advisory Task Force to hear comments and input from the public regarding the application and they met on January 8, 2015 and voted unanimously not to proceed with the project. He added that was an advisory opinion and this Board could vote to move forward and this was one of two required hearings in this process.

Chair Holt asked if anyone wished to speak regarding this item and there was no-one.

Commissioner Morgan said he had looked through the item and recognized the Citizens Advisory voted against the building and did not see their reasoning against it and asked if someone could explain why because he could not see a downside to it.

**Tommy Baker, EMS Director**, appeared before the Board and informed them the Advisory Task Force voted to pursue funding for a new facility on the grounds of the hospital since there seemed to be adequate property there.

Commissioner Morgan asked what the problem was with the existing property.

Mr. Baker said he was unsure, he only knew that was their recommendation.

Commissioner Morgan said he understood Mr. Baker's opinion had always been to move forward with the existing facility and asked if that had changed.

Mr. Baker said he liked the facility and liked the business deal because it seemed they would be able to move into it without any costs and that was a major appeal.

Commissioner Morgan asked why they move away from that and was there any specific reasoning other than wanting to be at the hospital.

Mr. Baker said not from his perspective, but was the recommendation from the group.

Commissioner Morgan asked Mr. Baker how far away from the Hospital was this piece of property located and Mr. Baker responded maybe a quarter of a mile.

Commissioner Viegbesie said he understood the line of thinking of the Task Force. He said that he personally toured the grounds last week at the hospital and this was a facility that had 72,000 square feet and only 15,000 square feet are presently being used with 62,000 square feet being unused. He added there was land around the hospital that was presently available and thought it made fiscal common sense to use what the county had and not go to the expense of using the grant money for the building.

Commissioner Morgan asked how less money would be spent or invested in this by doing that option.

Commissioner Viegbesie said they already had the land and available space at the hospital and “a penny saved is a penny earned” and if the county saved what they had by using what they had and not purchasing the new property, there would be more money to actually build what they have now to a higher standard.

Commissioner Morgan asked the Administrator if he agreed they would use less money by renovating a portion of the existing building versus remodeling the hospital for use.

Mr. Presnell said the rehab on the building would be approximately \$250,000 and would properly be less than the hospital. He added that he thought Commissioner Viegbesie was alluding to the fact that a CDBG grant was for \$650,000 and that was for the purchase and would leave \$250,000 for the rehab. He further added that some of the discussion with the Task Force was to possibly seek a CDBG grant for the rehab as well.

Commissioner Morgan asked his opinion of what he thought best.

Mr. Presnell said he always liked to use grant dollars to keep the Board from having to take County tax dollars to do it.

Commissioner Taylor asked Mr. Baker the makeup of the Citizens Task Force and if there were representatives from each district.

Mr. Baker said he did not look at districts they came from and the basis of the committee was a previous committee that had worked with Phyllis Moore’s group on housing grants and they had to add to it because they had to have low to moderate income people.

She said they had made the commitment and saw both sides. She further reiterated that Capital City Bank had agreed to write the grant, make sure there was at no costs to the County and if they had to build out the hospital, which was a great idea, that would be at county



expense if they were unable to receive grant dollars.

Mr. Presnell said if they were unable to obtain a grant, they would have to look at General Revenue dollars but he was sure the Board would want to exhaust all avenues for seeking grant funds first.

She asked if a funding source had been identified to retrofit the hospital.

Mr. Presnell said the CDBG was what had been discussed and had not gotten in-depth because they needed a decision from the Board.

Commissioner Taylor asked with the contract they currently had on the building with Capital Regional, if a CDBG grant and its criteria conflict.

Mr. Presnell said no because they had only leased CRMC a portion of the facility.

Commissioner Taylor then asked with the facility in its present state, would there be a conflict with a CDBG grant.

Mr. Presnell said he did not see how and if they got to the point of applying, it would be checked into legally.

Commissioner Taylor said she was concerned that there would be a cost to the County if they moved forward with retrofitting the building because they all knew with the CDBG grant there still had to be matching in it and they knew there was no-one available to write it and there would be a cost to have someone write it as well as implement or facilitate it. She added they would not have those costs if they stayed with where they were originally. She further stated she did not think they had enough information in front of them to know all the costs and be able to make an informed decision.

Commissioner Hinson said personally he concurred with everything everyone said. He added that he believed in purchasing property because they may need property down the road and if they were being given five acres of land with the building, did not see where they could go wrong.

Chair Holt said she was against the project from the beginning, the hospital was not built out and if they were presented with the opportunity to build out the hospital that was an opportunity to go after. She added at other facilities, EMS was located at the hospital and she was not in favor of getting this to take the property off the tax roll. She said they were hiring a grant writer anyway. She said she saw getting a free piece of property, but she did not see having the taxes not being paid because government does not pay taxes. She said she felt they needed to back up, fix the hospital and do what they told folks they would initially do.

**Emmanuel Sapp 821 2<sup>nd</sup> Street, Quincy, FL**, appeared before the Board, and stated he was of the same perspective of what Commissioner Viegbesie and Commissioner Holt had stated. He further stated he felt the community would need to be polled and see how they felt with the noise coming to their area and also the housing expansion plan needed to be taken into account with more housing going in on the east side.

Commissioner Hinson asked once the property was obtained, did it have to be used for EMS.

*Chair Holt stepped out at this juncture of the meeting.*

Mr. Presnell said if it was obtained with grant money, it would have to be used for the EMS facility.

Mr. Weiss said it would come as a package deal where it would be for the purchase of the property and the rehabilitation of the facility.

Commissioner Hinson asked if he could be shown in the contract where it had to be used for an EMS facility.

Mr. Baker appeared before the Board to explain and said the grant application was being worked on by the consultant and if they moved forward, it would be presented at the next public hearing. He further explained that their direction for the grant was written around the EMS facility.

*Chair Holt reappeared at this juncture of the meeting.*

Commissioner Hinson said before making a decision, he wanted to have all facts before him.

Commissioner Taylor agreed there was not enough information before them and additional information was needed. She asked for clarity with regards to the hospital; the referendum voted on clearly stated that three-fourths of the indigent funds collected were to go to indigent people that needed assistance with any type of medical issues and one-fourth was to go to the hospital. She further stated that when it was campaigned to get the vote, people thought the money was primarily for the hospital as did she until she read everything. She added she was hopeful that before long, people would be able to stay there. She also said that she was mindful of what they put in the neighborhood, but she said for them to take into consideration the emergency facility they were discussing putting into the hospital was in a community and where they were discussing placing it, there were no houses because it was a car lot at one time.

Commissioner Morgan said he was for approval of Option 1 and added that he heard the discussion but it did not make good sense to him.

Chair Holt said they had looked at one option, but there were two options, one being at the hospital and one at the car lot and they could have applied for two CDBG grants and they did not because the Board wanted to buy the property from the bank. She said for them to not take the property off the tax roll, instead fix the property they were supposed to have fixed up.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER TAYLOR,  
BEFORE THE VOTE WAS TAKEN, COMMISSIONER HINSON CALLED FOR A QUESTION.**

Commissioner Hinson asked if this was not approved, would there still be another hearing.

Mr. Presnell said there was a required second public hearing that would be the first meeting in March.

Commissioner Hinson said he thought they had to approve it first and if it was not approved, it would be dead and he hated to kill it because he would like to see more research.

Commissioner Viegbesie said the motion was for adoption of option 1; to approve continuing the process to apply for the grant to purchase and renovate the Thomas Motor Cars property and if that were approved, that would be the direction it would go. He added there was no saying "think about it", either it was done today or done for some other purpose and not for the purpose of purchasing the building.

Mr. Weiss pointed out he had not been involved in the grant application process. He said he did understand there would be a second public hearing that would come back before the Board.

Chair Holt asked if this were approved tonight, how it would affect the contract, because there was an agreement in the contract that said if they approved this step, it said they moved forward.

Mr. Presnell said if they voted in the affirmative, there would be more expenses incurred because it would come back for a second public hearing.

Chair Holt said they needed the opinion of the attorney and the attorney did not agree with this because he did not know enough about it and she advised then as a commissioner to wait because the attorney could not answer their questions and concerns.

Commissioner Hinson asked if this item could be tabled.

Dr. V said the motion was not to approve the process to apply for the CDBG grant, if the motion was to apply for the CDBG grant that would be an action by itself, but the motion was to apply and if approved, then the dealership would be purchased and the second public hearing would have nothing to do with the cause of action. He added it needed to be voted up or down.

Commissioner Hinson asked if this item could be tabled, if they vote against it, it would die and if they move forward, they will have a second hearing.

Mr. Weiss said there was no reason it could not be tables, it was a timing issue.

**CHAIR HOLT CALLED FOR THE VOTE, SAYING THERE WAS A MOTION AND A SECOND FOR APPROVAL TO CONTINUE THE PROCESS TO APPLY FOR A CDBG GRANT TO PURCHASE AND RENOVATE THE THOMAS MOTOR CAR PROPERTY. COMMISSIONER MORGAN AND COMMISSIONER TAYLOR VOTED AYE. COMMISSIONER HOLT AND COMMISSIONER VIEGBESIE VOTED NO.**

**COMMISSIONER HINSON**

"Well, I'm not opposing neither."



**Chair Holt**

"But you have to vote one way or the other. What you have to do..."

**Commissioner Morgan**

"He did, he voted to approve."

**Chair Holt**

"Again, well, he's talking so I have to explain it..."

**Commissioner Morgan**

"You called for the vote..."

(Gavel banging)

**Chair Holt**

"Wait a minute Sir; I'm the Chairman, OK, now stop."

**Commissioner Morgan**

"Madam Chair, Rules of Order..."

**Chair Holt**

"Stop, I am, I'm following those, now stop talking, I'm the Chair. OK, now, if he had not started speaking, I wouldn't address him. OK, I didn't ask him for a question. I'm letting him speak. Commissioner Hinson..."

**Commissioner Hinson**

"Right, well, (sigh) I would hate, the reason why I asked that question you say you got to vote on it. I don't want to, I don't want to vote for it right now, I want to take..."

**Chair Holt**

"Commissioner Hinson, Commissioner Hinson, listen now, if you do not vote, it's accepted as a yes. You have to say 'no' if you do not want to vote for it. As I've said before, whatever action you want to bring after that, that's up to you."

**Commissioner Hinson**

"OK, I got..."

**Chair Holt**

"OK, now, there were two in favor, Commissioner Taylor and Commissioner Morgan; Commissioner Viegbesie and I were opposed..."

**Commissioner Hinson**

"And I oppose."

**Chair Holt**

"OK, so, alright now, so that's..."

**Commissioner Morgan**

"Madam Chair, if I may..."

**Chair Holt**

"Yes sir, go ahead."

**Commissioner Morgan**

"You know as well as I do that's inappropriate and my comments are over. Thank you."

**Chair Holt**

"OK, I know you had a comment. But, as I said Commissioner Hinson, when you started speaking I allowed you to address the issue."

**Commissioner Hinson**

"Right."

**Chair Holt**

"OK, for clarity (pointing to Commissioner Hinson), now you can vote either way you want."

**Commissioner Hinson**

"Oh, yeah, I know that."

**Chair Holt**

"OK, alright, that motion failed."

**Commissioner Hinson**

"Well, now, I want to make mine."

**Chair Holt**

"Now, Commissioner Hinson, you want to put a motion on the floor, go ahead and do that."

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER TAYLOR TO  
TABLE THE ITEM, BEFORE THE VOTE WAS TAKEN, MR. PRESNELL HAD COMMENTS.**

Mr. Presnell stated this was a Public Hearing and asked if it were proper to continue it?

Mr. Weiss said yes and he thought they should re-publish it.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER TAYLOR, THE  
BOARD VOTED 4-1 BY VOICE VOTE TO TABLE THIS ITEM. COMMISSIONER MORGAN  
OPPOSED.**

**6. Approval of Agreement Between Gadsden County BOCC and Big Bend Transit, Inc. for the  
Operation of the Quincy Shuttle**

Mr. Presnell introduced above item and said it was for Board approval of the agreement between Gadsden County BOCC and Big Bend Transit, Inc. to provide Quincy Shuttle service in and around the City of Quincy. He added that he had been in contact with the City of Quincy and it would be taken up at their next meeting to contribute some to the County.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 TO APPROVE THIS ITEM.**

**7. Appointment to the CareerSource Capital Region Board**

Mr. Presnell introduced above item and said was for an appointment.

Commissioner Hinson said he had an opportunity to talk with Mr. Roy Moore and due to misunderstandings; he had not been attending meetings but would be able to attend the next meeting on April 2<sup>nd</sup>.

Commissioner Morgan asked who the recommended replacement was and Chair Holt stated it was Ms. Chelsea Douglass, Human Resource Manager of Teligent EMS.

Commissioner Morgan said he felt it was the correct course of action to approve the replacement, but he had nothing against Mr. Moore.

Chair Holt said she was in favor of keeping Mr. Moore and said if he did not receive the information and there was a problem, it could always be brought back.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-1 BY VOODOOOOICE VOTE TO RETAIN MR. MOORE. COMMISSIONER MORGAN OPPOSED.**

**8. ~~Approval to Utilize County Law Enforcement Funds to Conduct the 4<sup>th</sup> Annual Rural County Summit~~** Item pulled

**9. Approval of Agreement with the Gadsden County Chamber of Commerce Small Business Service Center**

Mr. Presnell introduced the above item and said was for Board approval of the Agreement with the Gadsden County Chamber of Commerce Small Business Service Center and the Gadsden County BOCC.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN, BEFORE THE VOTE WAS TAKEN, THERE WAS DISCUSSION.**

Chair Holt said she had spoken with Mr. Gardner and said the reporting part was the only thing she had concerns with going forward and he said he would be able to do that and she would like for it to be in this contract.

Commissioner Viegbesie said he strongly supported this item but saw a “sore spot” with the conversation was focusing on accountability. He said in reading the contract, he did not see and believed if included, the Chamber would get \$40,000 with no continuous argument or discussion if they would include in the contract a monthly or quarterly account of the list of businesses that attend the training or workshop. He said he would like to see a sign-in and who attended the workshop and an evaluation of the attendee as to what was learned or how beneficial the training was to them. He said he felt if that was added, performance based for the money, then he thought that would ensure the continuous funding from the BOCC.

Commissioner Morgan asked if the Chamber had ever failed to provide a report when they had been asked and Mr. Presnell said no. Commissioner Morgan then asked if they had ever been late and Mr. Presnell said they might have been late.

Commissioner Morgan said they had an agreement that the Chamber had approved before them, the Chamber had been before them before to talk about the success of the program for local business owners. He further added that it was his opinion that they did not need to put reports required in the contract just because someone wanted to get some reports from someone. He said they had legitimate reasons for not wanting to provide signed signatures and there were reasonable confidentiality issues. He said he commended Commissioner Hinson for moving on this and his second to the motion would stand.

Commissioner Taylor said she always contended that that anyone that was spending taxpayers' money be accountable for it.

Commissioner Morgan replied they were.

Commissioner Taylor said where she was going with that was the GCDC has a contract and whatever reporting that was required of the Chamber, needed to be required as well of the GCDC and whatever deliverables that each was responsible for needed to be made transparent to the Board because they were responsible for the fiscal affairs of the County. She said she had no problem with reporting, but wanted to make sure they were fair across the board with all entities.

Chair Holt asked Commissioner Hinson if it were possible to include the two items Commissioner Viegbesie had suggested and she had no problem in having that added to GCDC or anyone else. She then asked Commissioner Viegbesie to restate the items he would like to see added.

Commissioner Viegbesie said the Chair was asking if he would amend his motion to include the fact that this performance based (inaudible) who have signed in the businesses that had the use of the Chamber and the evaluation be added. He said he felt if that were added, they would no longer be spinning their wheels regarding this particular item.

Commissioner Hinson asked when the checks would be cut and Mr. Presnell responded they were cut quarterly and the Board had instructed them they would like to have regular updates.

Commissioner Hinson asked if they would have to appear before them before the next check was cut and Mr. Presnell said no, if this was approved, it would be an annual contract and they would draw down on it quarterly. Commissioner Hinson said he thought everyone was doing that and Chair Holt agreed.

Commissioner Taylor said he had been misinformed, because according to the contractual agreement with GCDC, they would receive \$80,000 upon signing of the contract.

Mr. Weiss said that was accurate with this contract and the GCDC contract provided for one-half of the money immediately upon signing of the contract and the Chamber contract was a little



less clear of how the other half was to be disbursed. He further explained that the other half with this contract was based on an invoice six months later. He said it did require updates on a quarterly basis and did require presentations to be made upon request. He said it also gave the county the ability to inspect records at any time related to the money that the County was spending.

Chair Holt said that was the documentation she had asked for in the past, but for them to forget the past and include the two items for both organizations and move on.

Commissioner Hinson said the problem he had was they did not do that for the other group and Chair Holt said "do it now for the other group, give them a rider, they'll sign it and let's move on".

Commissioner Hinson said the contract had been approved already.

Chair Holt said "You go back, when children do wrong, you go back and straighten them up, you don't sit and complain about what they did wrong. So now, the GCDC, they are adults, I'm sure they will agree with this and, in fact, they have only been funded two years. We've funded the Chamber for over thirty. So all we have to do now is go ahead and do what we are going to do. Let's take the vote and move on"

Commissioner Taylor had one comment. She said it was her opinion they could not entertain another contract because it had not been agendaed, but did agree it needed to come back at a later time and did not think they needed to amend the GCDC contract, but it did need to be brought back. She further stated they needed to move forward with the Chamber's contract, but not try to tack onto another contract, because it was not properly advertised and they did not have the authority to do so, per their own policy and procedures.

Commissioner Viegbesie said he had called a question for the item and asked that they vote.

**CHAIR HOLT SAID THEY WERE VOTING FOR A CONTRACT BETWEEN THE CHAMBER SMALL BUSINESS AND GADSDEN COUNTY. THE BOARD VOTED 4-1 BY VOICE VOTE. CHAIR HOLT OPPOSED.**

**10. Approval to Sell House owned by the County Located on Brumby Street**

Mr. Presnell introduced above item and said it was for Board approval to sell a house on Brumby Street owned by the County.

Commissioner Hinson asked if this had been advertised.

Mr. Presnell said yes, it was listed with a realtor once the County decided to dispose of it. He said it was put out for bid and was in all three local papers.

Commissioner Hinson asked if the money could go back into the affordable housing pot.

Mr. Presnell stated it could not this fiscal year, but they could budget that, but the money would go back into the General Revenue.

Commissioner Viegbesie said his understanding was built by the County and was not a foreclosure, seizure or lien property.

Mr. Presnell said no.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER TAYLOR, BEFORE THE VOTE WAS TAKEN, COMMISSIONER MORGAN HAD A COMMENT.**

Commissioner Morgan said this was what some would call a “teachable moment” and said the County had spent \$150,000 of taxpayer dollars to build the house; \$100,000 to build it and what money that had been spent since then had been several thousand dollars. He added he hoped it was a “prime example of what a poor decision can do to taxpayer dollars, we are taking \$150,000 that we spent out of General Fund and we are now going to realize \$18,000 for a piece of junk house. I agree with Dr. V, we should take this and run.”

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

Chair Holt explained that when the County did the house, it was to stop patching up houses so much and the program they looked at was to build a house, have people qualify for it, they would move in, money they received from different governmental programs, take that money and move it over to the building of the house.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE ITEM.**

**11. Approval to Sell a Parcel of County Property located on Crawfish Road**

Mr. Presnell introduced this item and said it was similar to the previous item. He added that a property owner adjacent to the lot contacted the County and was interested in purchasing it. He added the property was bid and only one bid was received from that property owner for \$1,500.00.

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

Commissioner Viegbesie said this was one of the things he expressed concern with at one of the last meetings. He said he was not sure what methods were used where only one was received and thought they needed change to attract more bids.

Chair Holt said they needed to see the proofs of the advertisements attached to the agenda item.

Commissioner Hinson said he thought it needed to start with this one and he was not for selling property at all, but if it were the will of the Board, he would go with it.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**12. Discussion of Lease-W.S. Stevens Alternative School**

Mr. Presnell introduced the above item and said was for discussion of the W. S. Stevens

Alternative School lease.

**Emmanuel Sapp, 821 2<sup>nd</sup> Street, Quincy, FL**, appeared before the board. He said Mrs. Ford had been a good housekeeper of the property and the only problem was since 2010, the same governing board that regulates this facility has been using the facility for personal gain. He said he wanted to bring it to the Board and the Attorney's attention that one commissioner may be overstepping and receiving personal gains from building. He presented documents and asked that it be looked into and be rectified. He felt that if the Board would re-negotiate the lease agreement with Mrs. Ford, any organization to sublease any part of it, the Board would have to approve it. He then presented the documents to the Deputy Clerk.

**Mrs. Priscilla Stephens Kruize** appeared before the Board and said she had been at the Stevens School since February, 2014 and said her only reason for being there was to be a service to the community and to present artifacts and build self-esteem among the youth and instill appreciation among other people. She said if the Commissioners could help in any way, she would be most appreciative because the building was very cold and she did not received help from any grants.

Chair Holt said she had spoken with Mrs. Ford, had spoken with Commissioner Taylor and had spoken with the Manager. She added that one of her concerns that Mr. Sapp had spoken on was "conflict of interest" and asked that the Attorney look into that and she did not want to make judgment calls. She also wanted proof continuous insurance and upkeep, and individuals that were on the property that did not have a contract but had access to the building.

Commissioner Taylor asked that she hear from Ms. Carolyn Ford.

**Ms. Carolyn Ford** appeared before the Board.

Commissioner Taylor asked that Mrs. Ford clarify the validity of the sub-contract concerning Children Are Our Future and anything else she could share with the Board.

Mrs. Ford said she only had one sub-lease that was a month-to-month lease with Commissioner Taylor. She said as far as the upkeep, she had been there twenty-three years and at the beginning, she had to replace the roof and has tried to maintain it. She mentioned it was the last black high school and elementary school left in the County. She mentioned that she had been unable to receive any grants because the County owned the property. She also mentioned that she had a \$20,000 budget that she used to maintain the building.

Commissioner Taylor said there was a question raised regarding compensation for the building, she had spoken with the attorney and there was clarity that was presented and there was no compensation on her behalf. She added there was an agency and those funds were directed to that particular cause and Mrs. Ford was made aware and signed off on it. She assured everyone that nothing was done underhanded and documentation was in place to support what she said. She asked Mr. Presnell if he had toured building and he responded yes.

Mr. Presnell said he and the Building Inspector had toured the building to see if it had been properly maintained and found it was in good shape.



Commissioner Taylor stated for the record, she asked for the tour. She added that she came into that building before she was commissioner and was in the building around 2001 and provided after-school tutorial programs for children who had no place else to go. She said there was a grant received from Department of Education and has provided services for 23 years of tutoring, math, reading, computer technology, music, arts and crafts, physical fitness, etc. She further stated that the program was measured by the school district as to its success and was ranked number 1 because children showed gains from attending the program. She said they also provided parenting classes and adult education, employment and had a budget of almost \$10,000-\$15,000 monthly in salaries. She said the program was still providing services and just this past Christmas, forty free computers went to families. She said they provided a lot of great services. She said this was after her and had nothing to do with the school and "was a shame because you are taking something good and trying to blemish it. I've been doing business a long time and I'm intelligent enough to know not to entrap, not to do anything I don't have too. Authorization was given by my contractor, by Mrs. Ford to do whatever was done out there, she knows about it, it was in writing, documented. So to cast this, it's not necessary, I'm big enough, you don't have to come through a program for children and for the community. So I want to say progress, do what you need to do. I stand vindicated and I'm very happy and very pleased with what has happened out there and let me caution those, let me caution those on this, when a person is fulfilling its purpose in life, be careful attacking that person because my purpose is to serve and to help people. That's my purpose, is to serve to help people to be mindful of all ages and that's what I'm on this journey to do and it's exactly what I'm going to do. Through this I will be protected, so that's all I have to say. I will come back if any other comments are made that I think I might need to address. But, thank you for the moment."

Chair Holt asked Mrs. Ford what different programs were located at the school.

Mrs. Ford said she had allowed Mrs. Kruize to come in and at the present time did not have a contract. She added there was a training program there on the west side and a large food pantry where she served residents of the county, 400 families a month and a small office to administer that program out of.

Chair Holt said the things asked about: conflict of interest; individuals in the facility without contracts; the Church and the issue with that was liability insurance on the facility itself. She explained if someone was to get hurt, there needed to be continuance insurance on the building.

Commissioner Hinson asked Mrs. Ford if she approved everything that went on there.

She replied she did not approve everything that went on there. She clarified that she sub-contracted with Ms. Taylor and some things she does not approve, they happen and then she would find out about it and then would contact Ms. Taylor and she would explain what was going on.

Commissioner Taylor said on occasion, there were people that would contact her because they were under the impression it was her building and she would have them contact Mrs. Ford. She further explained that the young man with the Church had his own insurance and the ultimate decision regarding anyone coming into the building was with Mrs. Ford.



Chair Holt said this facility must be treated as any other county building and instead of going through everything, research it, do what needed to be done and move on. She added that the back and forth was not going to work because sooner or later someone would file suit.

Commissioner Viegbesie said he was “the new kid on the block so a lot of these things I don’t have the history of” and asked with the subleases and them having their own insurance, if someone was hurt, who would be the primary defendant, the County or the one who subleased the building and had their own insurance but the indemnity may not be large enough.

Mr. Weiss said that any and all parties would be included in the lawsuit (if one) and that would include the County. He said he had had reviewed the lease and it did require insurance in the amount of not less than \$500,000 and has an indemnity provision. He added that indemnity was only as good as the money to indemnify it. He explained if the organization did not have enough money to indemnify the County, someone got a judgment against the County; there was a judgment against the County.

Chair Holt said if the organization had insurance and it met the criteria, then they were probably ok because both parties would be sued, but there was no proof of insurance.

Commissioner Hinson said he had a phone call from a young lady and asked if everything that county rents to Mrs. Ford was in her name.

Mrs. Ford said she subleased, she subleased to Ms. Taylor and in her sublease, she was to maintain her part of the building, have insurance, etc. and that she had advised Mrs. Kruize to have her own security because there were so many break-ins. She added that she did not charge anyone any money; they paid their own utilities and maintained their own space and insurance.

Chair Holt asked if the Administrator had requested proof of insurance.

He responded he had asked Mrs. Ford and have not received it.

Mrs. Kruize re-approached podium and said she did try to get insurance and was not able because of the condition of the building and she could not afford to renovate. She stated she was willing to stay there and felt it important to the Black Heritage because of the school.

Commissioner Taylor said she was glad to have this discussion because it needed to be made clear about the community center. She said the after-school programs stopped in 2011 or 2012 and her responsibility was the upkeep and utilities and there was no agreement in place and they had liability insurance when they were doing services there. She added she was “glad that this had come to surface for many reasons so that we could move forward and get this passed. This is ridiculous, but I totally understand why and where all this is coming from.”

#### **COUNTY ADMINISTRATOR**

#### **13. Update on Various County Issues**

Mr. Presnell said the Economic Development Incentives ordinance had been completed and asked for a workshop starting at 4:00 prior to the meeting on February 17<sup>th</sup>.

**Focus Group**

He said the Focus Group was going well and they would continue to meet each Thursday at 6:00 p.m. and if any of the Commissioners would like to recommend someone to participate, it was a community effort.

**Black History Month Appreciation Dinner**

He said there will be a Black History Month Appreciation dinner at Riverchase and they would be receiving an invitation.

Commissioner Morgan asked about the Focus Group and they had talked at length regarding ideas and how to proceed and asked if they had been implemented and asked to see the ads that were being used.

He asked that he be provided a copy of the existing Planning and Zoning ordinance that addressed the make-up of the Board and asked it be agendaed for discussion.

Commissioner Viegbesie said he thought with commissioner's appointments to various advisory committees and boards, a document was given that specified what board commissioners appointed to and numbers and thought every commissioner was to appoint two from each district.

Chair Holt asked Commissioner Morgan if he would tell them what problems he had.

Commissioner Morgan stated he would like to discuss it before the public to see if there were any updates that needed to be made, for example, they were allowed to appoint two members but they did not have to be from their own district; and felt that they were not necessarily getting fair representation throughout the County on the Board. He said there were other items he would like to discuss, but did not think it appropriate since the item was not on the agenda and would like to discuss it in a public meeting.

**Televising Meeting**

He said if they were in the financial position to do so, would like to see it agendaed for discussion and mentioned he had asked for it four times.

*Chair Holt stepped out at this juncture of the meeting.*

Commissioner Viegbesie asked how much money was in the bank when the meetings were televised and mentioned he thought there was \$6.4 Million.

Commissioner Morgan said that was not so, the County almost had to borrow money to meet payroll.

Commissioner Taylor said the reason she would not support this now was because of trying to get funding in the middle of the fiscal year.

*Chair Holt returned at this juncture of the meeting.*

Commissioner Taylor said she would support it, but not until the next budget cycle.

Chair Holt stated she was not in favor of it.

Commissioner Morgan commented he knew and understood why she was not in favor of it.

Chair Holt stated "When I tried to keep it, you wanted it out. I had to fight to keep it in..."

Commissioner Morgan started to talk.

Chair Holt stated "Commissioner, I'm speaking now, I wasn't speaking when you were speaking. We do have an officer or someone out here somewhere..."

Commissioner Morgan said "Oh, you're going to remove me? I don't think you are."

Chair Holt stated "I don't know she and I haven't talked about it yet."

Commissioner Morgan stated "Oh well, I'll (inaudible) you won't."

Chair Holt stated she thought it was good all the time, but now since they have not had it, did not see it and unless they need to bring in the television camera, which is already here and assumed when something was very important, the news media would be called in anyway.

#### **COUNTY ATTORNEY**

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

Mr. Weiss stated he had nothing to report but was available to answer any questions.

Commissioner Hinson asked if there had been any discussion with the other attorney regarding Havana Heights.

Mr. Weiss deferred to the Administrator.

Mr. Presnell said there had been no response.

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

##### **15. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

###### **Commissioner Anthony "Dr. V" Viegbesie, PhD, District 2**

Commissioner Viegbesie said he had two items he would like to discuss tonight:

- 1) Havana Elementary School-he heard there was a potential buyer for the property and did not know if the Board was aware of what the potential buyer's plans were for property since their drive was economic development. He said he would like to work with them to see if it could be used to facilitate economic development.

- 2) List of Discretionary Expenses that was sent-He said he thought Commissioner Hinson had asked for it and it was lengthy. He added that his understanding on those items, the Administrator had a discretionary power of spending up to \$25,000 without having to come through the Board.

*Commissioner Morgan left the meeting at this juncture.*

Commissioner Viegbesie went on to say that said personally, he thought that was tremendously liberal discretionary latitude and if not out of order thought the amount should be reduced. He added he would like to move to reduce the amount from \$25,000 to \$2,500.

Commissioner Hinson said he would second the motion.

Mr. Weiss said if they were going to amend the procurement policy, it needed to be placed on the agenda.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON TO HAVE THIS PLACED ON THE AGENDA. BEFORE THE VOTE WAS TAKEN, COMMISSIONER TAYLOR ASKED TO MAKE A COMMENT.**

Commissioner Taylor pointed out that with that low an amount, it could hinder progress for the County and everything would need to come before the Board at every meeting.

Mr. Presnell asked the Commissioners to keep in mind each item on the list would be an agenda item.

Chair Holt said it could be discussed when the item came back and asked the Commissioners if they had concerns, suggested they call the Manager or the Assistant Manager.

Commissioner Taylor said her only intent was to make sure when it came back before them, Mr. Presnell has all the answers and information and particularly how it may hinder the flow of government.

Chair Holt asked that when it was brought back, to bring back what was normally funded and its location, like if it's a monthly bill or something paid monthly that may not need to be moved or may be something that needs to be moved. She added for example, if there were 200 items on the list, they were going to look at the list and there needed to be a section on how it was done. She further stated that for years the County did not have \$25,000 cap, it was just upped when they were being progressive and building things. Never before had the Manager been able to spend \$25,000 without coming before the Board, but they were building libraries, building fire stations, were paving roads and they not doing that now.

Commissioner Viegbesie said he would like to have on record his suggestion was not an indication or accusation that the County Administrator in any circumstance, had abused the Power, he just thought the latitude was too liberal and this was his personal opinion.

**Commissioner Gene Morgan, District 3**



**Commissioner Sherrie Taylor, District 5**

**GCDC Contract**

Commissioner Taylor said they talked earlier in the meeting about the GCDC Contract and adding in the necessity of reports from them as well as The Chamber and wanted to make sure it would be brought back at some point and time and that other contracts be amended and added that they needed the accountability.

**All County Buildings**

She said if they were going to discuss one, talk about all of them and added that if you walked in any of them, you could be sued. She wanted to look at the structure and be accountable.

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

She said she was concerned about the tabling of the CDBG grant and thought they may have missed the boat and was hoping not because there was a need for another facility.

**Commissioner Eric Taylor, Vice-Chair, District 1**

Commissioner Hinson thanked the administration team for their hard work last week with working closely with the Chamber of Commerce in making sure the project moved smoothly. He also complimented Curtis Young and his team at Road and Bridge.

He said he was one of the most liberal commissioners, in America probably, but was conservative when it came down to County government; they needed to make sure the money was there. He explained the reason for his “pausing and holding off for a little bit, just for right now, because I got a lot of stuff from my consultants and they give me updates about what’s about to happen in the future throughout the State of Florida.”

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

He went on to say “The Governor cutting back taxes, cutting taxes this year and I was at the inauguration, his inauguration. I think he was feeling proud and if I’m not mistaken, he said he was going to cut back forty-three taxes within the next four years, have forty-three tax cuts within the next four years. So we’ve got to be very careful now about spending, got to be very careful, so we need to jump in front now and say ‘let’s hold everything for right now’ until the end of the year and as long as we can keep it safe and do what’s right, if we know a project, we meet every couple of weeks so if a serious project coming up, bring it to the Board. If it’s that serious, we can go and approve it and move on. But, I’m looking at the Governor, he (inaudible) he know what’s right and so I’ve got to do what’s right too, as well and to make sure that we look out for the best interest of Gadsden County. So we need more Curtis’s out there, we need more public workers out there, we need more librarians out there. But when I talk about hiring employees here, the Board got a problem with hiring employees here. People’s gonna have jobs in Gadsden County, so it must not be in that bad of shape. So again, I want to thank again the Commissioners for doing a great job last year. We did a super job. I want to thank the County Administrator and his staff too as well. Thank you very much”

**Commissioner Brenda Holt, Chair, District 4**

Chair Holt said the Focus group did a good job and said they would be meeting with a grant organization and looking at going after funding and added that the group was very energetic

and the question they were posing was “What would make you want to stay in Gadsden County” and there was a long laundry list of things of why they would go to Tallahassee go to Tallahassee at 1:00 a.m. to eat, etc. She added that they were all about being innovative and the need to bring the community together.

She encouraged the Commissioner and the public to tour the hospital, see the sections that were not developed and said there was a physician that asked about putting a facility there. She added that when he spoke with some other people in the community they were interested.

She said with the Governor’s proposal, he suggested in his proposal budget, he said 1,300 state workers would be laid off, She said sixty percent of the residents in Gadsden County worked in Tallahassee, and the rest work at Florida State Hospital, the School system and they needed to be creative when it came to economic development and if the four I-10 exits do not develop, there was trouble.

Commissioner Hinson said he wanted to thank Shawn Mitchell for getting the grants and thanked Stacey for doing an awesome job her first month. He added they needed to make sure to find a full-time economic development person. He added that Tallahassee just added an international airport and economic opportunities would be coming to Gadsden County.

Chair Holt reminded them that the Focus group meets Thursday at 6:00 p.m.

Commissioner Hinson said the reason he was trying to get in contact with Gwen Graham, he wanted to see if there was any way to get a match to bring in economic development.

#### **RECEIPT AND FILE**

- 16. Gadsden County Development Council January 2015 Newsletter**

#### **UPCOMING MEETINGS**

- 17. February 17, 2015 – Regular Meeting  
March 3, 2015 – Regular Meeting**

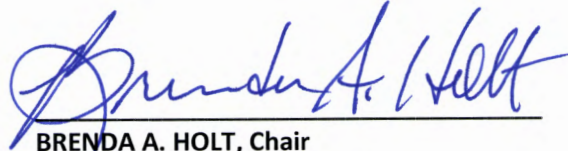


Gadsden County Board of County Commissioners  
February 3, 2015 – Regular Meeting

**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 8:40 P.M.

GADSDEN COUNTY, FLORIDA



BRENDA A. HOLT, 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 FEBRUARY  
17, AT 6:00 P.M., THE FOLLOWING  
PROCEEDINGS WERE HAD, VIZ:

**Present:** Brenda Holt, Chair, District 4  
Eric Hinson, Vice-Chair, District 1  
Dr. Anthony O. "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
Sherrie Taylor, District 5  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

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

Chair Holt called the meeting to order at 6:00 p.m. She asked everyone to stand for a silent prayer and then led in the Pledge of Allegiance to the U.S. Flag. Silent Roll call was taken by Marcella Blocker, Deputy Clerk.

**AMENDMENTS AND APPROVAL OF AGENDA**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Presentation from the Boys & Girls Club of the Big Bend**  
**(Lee Wagner, Executive Director)**

**Mr. Lee Wagner, Executive Director of the Boys and Girls Club of the Big Bend**, appeared before the Board and had two groups from the Chattahoochee Club to perform for the Board.

Mr. Wagner then gave a quick update for the Quincy chapter and said the tentative date was April 13<sup>th</sup> for getting started and Carter Parramore would be the official club site.

*Commissioner Morgan and Commissioner Hinson stepped out at this juncture.*

**2. May 23-24, 2015 Bike Race**  
**(Pete Butler, Event Organizer)**

**Mr. Pete Butler, Event Organizer**, appeared before the Board to brief them on an upcoming bike race coming to Gadsden County May 23-24, 2015. He said they hoped to bring to the community 400 competitors to compete in the cycling race that would be coming from all over the southeast.

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

He said they hoped to showcase Gadsden County and show what a beautiful place there was here.

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

He added that the competitors and their families would be spending up to two nights in the

hotels and eating in the restaurants. He also said they hoped to do something downtown on Saturday and then take it out into the rural area on Sunday for a road race.

Commissioner Viegbesie thanked Mr. Butler for the idea and said an event like this could help generate an identity and become an annual event.

#### **CLERK OF COURTS**

Mr. Thomas was not present and there was nothing to report.

#### **CONSENT**

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS WRITTEN.**

- 3. Approval of Minutes  
December 20, 2014 Meeting Minutes**
- 4. Approval to Accept the FY-2015 1<sup>st</sup> Quarter Budget Report**
- 5. Approval to Declare EMS Items as Surplus**
- 6. Approval of Signatures for Special Assessment Liens and Rehabilitation Contract-SHIP Program**
- 7. Approval of Signatures for Special Assessment Liens and Rehabilitation Contract-SHIP Program**

#### **ITEMS PULLED FOR DISCUSSION**

There were no items pulled for discussion.

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

**Lateresa Jones, 6824 71 FL-GA Hwy, Havana, FL**, medical marijuana, appeared before the Board and said she was a new resident of Gadsden County. She said there were a couple of bills going to the legislature concerning medical marijuana and thought it might be something this county could do to be able to bring jobs to the county. She asked that the commissioners consider this as revenue for entrepreneurs.

**Melissa Peterson, 686 Hickory Lane, Havana, FL 32333**, animal control policies and procedures, appeared before the Board and asked that they consider ways to improve the County's animal control euthanization rate. She also spoke about relocating the animal shelter and starting an adoption program.

#### **PUBLIC HEARINGS**

- 8. PUBLIC HEARING-Amendment to the Citizen's Growth Management and Planning Bill of Rights**  
Mr. Presnell introduced the above item and stated the Planning Commission had made a recommendation and it was now scheduled for a public hearing regarding an amendment to the Land Development Regulations. He added that it was recommended by the Planning Commission in a 7-3 vote that the BOCC repeal Ordinance 2010-005 in full and eliminate Section 7001.1 of the Land Development Code and allow the Planning Commission to hold workshops to

receive public input on creation of new language for the Citizen's Bill of Right's process.

**Marian Lasley, 5 Dante Court, Quincy, FL**, appeared before the Board and was a proponent of the current Bill of Rights. She added that she felt the proper procedure would be to schedule a workshop and address the language in the current code and the problems people have with it and it go back to the Planning commission and let them workshop it rather than repealing the entire Ordinance.

**Ms. Sarah Figgers, 930 West Crawford Street, Quincy, FL**, appeared before the Board and asked if possible to use the previous Bill of Rights and as it stood now was difficult for the elderly to understand it. She added as it currently stood, it turned away developers and asked that the super majority be removed from the document. She further stated there was a need for good developers to come into the County that could provide jobs for the citizens.

**Ms. Joyce Denis Rory, 615 Sparkleberry Blvd., Quincy, FL**, appeared before the Board and asked that it be repealed.

**Mr. Sam Palmer, 1225 Berry Street, Quincy, FL**, appeared before the Board, and asked that the Bill of Rights be repealed. He asked why put money up for businesses to come in and then have barriers in place to keep business out.

**Montez Palmer, 329 South Patton Street, Quincy, FL**, appeared before the Board, said she was a longtime resident and wanted to see growth and was against the Citizens Bill of Rights.

**Charles Morris, 23209 Blue Star Highway, Quincy, FL**, appeared before the Board and was against the Citizens Bill of Rights.

Commissioner Hinson asked that **Allara Gutcher, Planning and Community Development Director**, come forward. He said someone had mentioned a prior Bill of Rights and he asked about that.

She responded that the Ordinance was adopted in 2010 as far as she knew, was the only one ever adopted. She explained the process prior to the Citizens Bill of Rights and said it was still used today. She said currently they do require mailing notices, signs on the property, newspaper ads for certain types of hearings and even if the Citizens Bill of Rights went away, they would still do that and she added there was a 1000 foot mail notice requirements for development order reviews and hearings, variances, comprehensive plan amendments and special exceptions there were already in place in the Land Development Regulations.

Commissioner Hinson said there were two meetings with constituents.

Allara Gutcher said there was a meeting where the applicant is required to have outside of staff assistance and after that, there was a public hearing scheduled with the Planning commission, from there, and then forwarded on to the County Commissioners.

Commissioner Hinson asked about the super majority vote.

Allara Gutcher said the Citizens Bill of Rights was the only place where a super majority vote was

needed and that right now the Citizens Bill of Rights was pertinent to Comprehensive Plan amendments, major land reviews, variances, special exceptions and land development reviews.

Commissioner Viegbesie said Commissioner Hinson had asked a lot of the questions he had. He added that he understood that the County's land development regulations already provided for most of the items in the Citizens Bill of Rights document.

Ms. Gutcher explained the County's Land Development Regulations provided notice requirements for certain types of public requests that included variances, quasi-judicial hearings, appeals, comprehensive plan map amendments, comprehensive plan amendments along with others.

Commissioner Viegbesie said they appoint members to the Planning Commission to represent them and a recommendation had been made and he suggested they consider adopting the recommendation made by them.

**UPON MOTION BY COMMISSIONER VIEGBESIE TO ADOPT THE RECOMMENDATION OF THE PLANNING COMMISSION AND SECOND BY COMMISSIONER HINSON. BEFORE THE VOTE, COMMISSIONER MORGAN HAD COMMENTS.**

Commissioner Morgan wanted to clear up some implications made and said all growth was not good growth.

*Chair Holt stepped out at this juncture of the meeting.*

He said that comments were made earlier that if a Commissioner did not vote a certain way they could be voted out of office, and added that was what they did, take a stance on what they felt was the right thing to do and a lot of times those decisions did not make everyone happy.

*Chair Holt returned at this juncture of the meeting.*

He further stated that they try to do what the majority of their constituents wanted done and that he had not heard a good argument as to why any of the language needed to be changed. He also stated that he would not apologize for a policy he felt was effective and it had not limited growth in any way.

Commissioner Taylor said she also wanted to get on the path of clarity; one commissioner was no longer here because he decided not to run and another one was not here but that had nothing to do with the Citizens Bill of Rights. She said she has been on the side of changing the language and still believed there were elements that needed to be changed. She further explained she felt when it came to a residential or Mom and Pop trying to divide property between siblings it should not be held up by the Citizens Bill of Rights. She added that the Citizens Bill of Rights was only three or four years old and the economic downturn that hit the County existed before the Bill of Rights came into play. She said there were a lot of elements businesses looked at, health department, work force, labor, housing availability, educational system and other factors before they would decide to come. She added that she was willing to make changes, but was afraid that some of the ones that spoke that like in the County, at any given time three people could vote to put a nuclear waste center in their backyard. She felt it

necessary for businesses to notify the surrounding neighbors of what would be coming to their area. She pointed out that the Citizens Bill of Rights had not stopped one business from coming to the area that wanted to come and applied for a development permit.

Chair Holt said there had been businesses that wanted to come here and didn't because of the super majority, one went to Liberty County with approximately one hundred people.

Commissioner Viegbesie said she had made a statement in reference to one thing he was going to say; Gadsden County was the only county where the super majority vote was in place and was glad to hear everyone was on board to having the workshop.

Commissioner Morgan asked that the motion be re-stated.

**UPON MOTION BY COMMISSIONER VEIGBESIE FOR OPTION TWO AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 3-2 BY VOICE VOTE. COMMISSIONER MORGAN AND COMMISSIONER TAYLOR OPPOSED. MOTION FAILED BECAUSE IT NEEDED A SUPER MAJORITY TO PASS.**

**UPON MOTION BY CHAIR HOLT AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 TO HAVE THIS BROUGHT BACK FOR A WORKSHOP.**

#### **GENERAL BUSINESS**

**9. Approval of EMS Consultants 2015 Annual Support Agreement**

Mr. Presnell introduced the above item and said it was for Board approval to renew the EMS Consultants 2015 Annual Support Agreement for EMS billing and collections software program.

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

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

**10. Appointment of Members to the Gadsden County Tourist Development Council**

Mr. Presnell introduced above item and said it was for appointment or reappointment of three members to the Gadsden County Tourist Development Council.

Commissioner Taylor asked if Mr. Jackson and Mr. Thro had opted to not renew their terms.

Mr. Presnell explained they both expressed interests in returning and Chair Holt explained that Mr. Knight did not wish to continue but was willing to serve until a replacement was found.

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

Commissioner Viegbesie asked with Mr. Knight being an elected official, if the replacement also needed to be an elected official from Midway.

Chair Holt explained there must be three elected officials but not more than four.



Mr. Weiss further explained that the three to four was for the bed tax collector, but was very expressed in representation from local government and discussed the details of the make-up of the Board.

**COMMISSIONER VIEGBESIE MADE A MOTION TO REPLACE MR. KNIGHT WITH CAROLYN FORD CONTINGENT UPON AN OFFICIAL RESIGNATION FROM MR. KNIGHT AND SECOND BY CHAIR HOLT. COMMISSIONER MORGAN CALLED FOR QUESTION.**

Commissioner Morgan asked for this particular seat, who applied and Chair Holt stated it was Carolyn Ford and Patricia Hayes.

Commissioner Taylor asked if Mr. Knight would not be reappointed back as an elected official, what capacity the two candidates needed to possess to be able to replace him.

Mr. Weiss stated that the person that replaced him needed to be “a person involved in the tourist industry who has demonstrated an interest in tourist development” and would need to be associated with the tourist industry.

Chair Holt said Ms. Ford did that with the concerts, she would come before them on the Tourist Development Council...

Commissioner Morgan pointed out that the person’s business needed to be centered on tourist development and hers was not and pointed out Mrs. Hayes worked with Rocky Comfort Farms and had also come before the Council several times and felt that was considered being involved in the tourist industry because she was attracting people to the county.

Chair Holt stated Ms. Ford did as well.

Commissioner Morgan pointed out that was not her business.

Chair Holt stated that was what her business was, but she was unsure of the name.

Commissioner Taylor stated her business was the North Florida Education Development Corporation and had to do more with development of housing.

Chair Holt stated she did housing, but she also attracted tourists to the county.

Chair Holt called for the vote.

Commissioner Hinson had comments before the vote and said he would like to wait.

Chair Holt said it was contingent to Mr. Knight officially resigning.

Commissioner Morgan said Mr. Knight’s term was still active and they had not received his resignation and moved to table this until they received the resignation and had more information, because they did not want to create a board that was not in compliance with the State of Florida and if Ms. Ford’s business did not meet that criteria, that was what they would be doing. He added that he did not have a problem with Ms. Ford serving if her business met

the criteria.

Chair Holt said they needed to address the first motion and second that was on the floor and then make a new motion.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 2-3. COMMISSIONER MORGAN, COMMISSIONER TAYLOR AND COMMISSIONER HINSON OPPOSED. MOTION FAILED.**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 TO APPROVE MR. JACKSON, MR. DUBREE AND MR. THRO.**

Chair Holt had a question regarding the terms and the difference of the years ending of the members.

Commissioner Taylor asked that this be placed on the next agenda.

There was discussion among the Board regarding the stacked terms of the members. To follow the discussion, please see [www.gadsdenclerk.com](http://www.gadsdenclerk.com).

**11. Shedric Woods/Winston Woods/James Pindleton; Parcel ID No. 2-26-3N-2W-0210-0000k-0110 Code Enforcement**

Mr. Presnell introduced the above item and said it was for Board direction regarding a code violation on the above property.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**12. Willie Maxwell, Parcel ID No.: 2-26-3N-2W-0210-0000C-0120**

Mr. Presnell introduced above item and said was for Board direction regarding a code violation on the above property.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**13. Marcellete Akins King & Alton Baker, Parcel ID No: 2-15-3N-4W-00000-0134-2300 Code Enforcement**

Mr. Presnell introduced item and said was for board direction regarding a code violation on the above property.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

Commissioner Taylor asked the Administrator if he had come up with a way to recoup some of the costs of tearing the houses down.

Mr. Presnell said this was the second year they had budgeted funds for this and some funds have been collected.

Commissioner Morgan commended Mr. Collins and said he has gone above and beyond the call of duty in addressing these issues.

Mr. Weiss said a lien could be foreclosed on but it may or may not be financially worth it because there might be liens on the property and they would have priority.

**14. Approval of Agreement for Actuarial Services for Optional Post Employment Benefits (OPEB) a GASB Requirement**

Mr. Presnell introduced above item and said was for approval to renew an agreement with Stanley, Hunt, Dupree & Rhine to provide Actuarial Services that was required to be performed every two years to comply with the Governmental Accounting Standards Board.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**15. Approval to Refinance the 2013 Florida Gas Tax Revenue Refunding Bond (Infrastructure) and to Bid for Additional Borrowing of \$6.4 Million**

Mr. Presnell introduced above item and said it was for approval to refinance the 2013 Florida Gas Tax Revenue Refunding Bond and to be able to begin the process to bid for additional borrowing of \$6.4 Million.

**COMMISSIONER TAYLOR MADE A MOTION TO APPROVE AND COMMISSIONER HINSON MADE THE SECOND. BEFORE THE VOTE, CHAIR HOLT HAD COMMENTS.**

Chair Holt asked who funded the bond before and asked because the first time the bond was done the Florida League of Cities handled it and they received a very good interest rate.

Mr. Presnell said they would not be able to get the rate they currently had.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**16. Discussion of Possible Amendment to Ordinance 2014-002 Relating to Private Road Acquisition**

Mr. Presnell introduced above item and said the Board had expressed an interest in possibly amending the Ordinance to enable consideration of more private roads for acquisition.

Commissioner Taylor said she wanted to see them move forward because of the number of private roads in the County and added that a 60 foot right of way limited the amount of roads able to be adopted. She asked if the County would be able to adopt 45 foot widths without it being a state issue.

Mr. Weiss said state law basically required compliance with the FDOT Green Book standards and the Green Book did not necessarily establish a minimum right of way width. He added there were recommendations and was more geared toward new construction rather than reconstruction and there were provisions there that recognized that and recommended no less than 50 feet right of way to have a road built safely. He did add that it was a recommendation, but did think they needed to comply with the Land Development Code and it was a part of the

Green Book. He added that the 60 foot right of way the County had was from the subdivision standards in the Land Development Code and thought they could probably remove that because it was incorporated into the Ordinance previously. He said if they wanted to remove it, it was not for a subdivision and they would not obligate themselves to comply with subdivision standards if that was the will of the Board, however there still was minimum road standard requirements in the general section of the Land Development Code that defined the Transportation System Standards and it told you what the minimums were to build a road. He said if they wanted to remove the 60 foot bare minimum right of way width, they could omit the reference to Section 6100 from the Ordinance and could go by Section 5600, which would vary based on the type of road it was.

Commissioner Viegbesie said there were some programs that was currently being looked at through CRTPA and was not sure if changing the Land Development Code would take some of the County's roads out of consideration. He added that he was meeting with the Transportation team of the County to see how the transportation code fit DOT to see how many roads could be pushed through CRPTA.

Mr. Weiss clarified he was not suggesting the Land Development Code be changed, that in the Ordinance, they incorporated the Land Development Code requirement and they would be taking one of the requirements that was incorporated and pulling it out because it was a subdivision requirement and they would still have to comply with the applicable provisions of the Land Development Code.

Chair Holt suggested if they were going to pave something, to go ahead and accept the ones at 60 foot, then it could be reduced. She added if this was going to knock them out of receiving anything, they did not want that to happen.

Commissioner Morgan asked if they could hear from the Public Works Director.

**Curtis Young, Public Works Director**, appeared before the Board. Mr. Young stated it was his opinion that if they reduced down from the 60 foot right-of-way easement they currently have, it would cause problems and a lot of arguments with citizens.

Commissioner Morgan asked the Administrator the potential costs and how they would be paid for.

Mr. Presnell stated the Ordinance required the homeowners to pay to bring the roads up to standards and to start with, they would put it on their regular maintenance schedule and would be minimal, but over the long-term, all citizens would want improvements and their roads paved and would then get into serious financial issues. He added that it was possible, if they brought roads into the system at a narrower width, down the road the dollars available with grant programs may not qualify with the narrower right-of-way. He added if someone met the requirements of the Ordinance under the 60 foot right-of-way, the cost to the County would be minimal because it would be brought up to standards prior.

Commissioner Morgan asked if the County started maintaining the roads, how it would impact ownership.

Mr. Presnell said the Ordinance required that it be deeded to the County prior to the County taking it.

Commissioner Taylor said it was always the same discussion and the same argument, that until criteria was set and standards in place, talk to public and let them know what was being done.

Chair Holt said she agreed with accepting roads and wanted to start with ones that qualified. She then asked to have this placed on the next agenda.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY CHAIR HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO TABLE THIS ITEM UNTIL THE NEXT MEETING.**

#### **COUNTY ADMINISTRATOR**

**17. Update on Various Board Issues**

Mr. Presnell stated he had no items for tonight.

#### **COUNTY ATTORNEY**

**18. Update on Various Legal Issues**

Mr. Weiss stated he had nothing to report but was available if anyone had any questions.

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

**19. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**Commissioner Anthony O. "Dr. V" Viegbesie, PhD District 2**

Commissioner Viegbesie said he had a request-a citizen in the County has lived for 105 years and was 26 days short of 106 years and would like to declare a day as her day and asked that it be done the second meeting in March.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS.**

**Commissioner Gene Morgan, District 3**

Commissioner Morgan asked that the Board agenda an item to discuss televising the meetings.

**COMMISSIONER MORGAN MADE A MOTION TO AGENDA THE DISCUSSION OF TELEVISIONING THE MEETING AND IT DIED FOR LACK OF SECOND.**

He then mentioned the composition of the Planning and Zoning board and asked to have it agendaed for discussion.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-1 BY VOICE VOTE TO HAVE THE DISCUSSION OF THE P&Z BOARD PLACED ON THE AGENDA FOR DISCUSSION. CHAIR HOLT OPPOSED.**



**Commissioner Sherrie Taylor, District 5**

Commissioner Taylor said she had nothing to report.

**Commissioner Eric Hinson, Vice-Chair, District 1**

Commissioner Hinson said they had discussed this earlier:

- 1) What the overall strategy of the Commission was;
- 2) What type of business did they want to attract;
- 3) Need economic development plan with input from all County stakeholders.

He said he would like for a retreat to be scheduled.

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

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY CHAIR HOLT, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE SCHEDULING OF A RETREAT.**

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

**Commissioner Brenda Holt, Chair, District 4**

Chair Holt said the young lady that brought up the medical marijuana item was on point. She added that at one of the committee meetings, the Housing and Senate Committee meeting on that topic, the bond would be \$75,000 for a farmer to become a grower and one of the members suggested getting people to help sponsor the bond because some farmers would not be able to afford that amount. She asked that they agenda this for informational purposes.

**UPON MOTION BY CHAIR HOLT AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 TO HAVE THIS PLACED ON THE AGENDA FOR INFORMATIONAL PURPOSES.**

Chair Holt stated she would like to have the Industrial Board to be placed on the agenda as well.

**UPON MOTION BY CHAIR HOLT AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO HAVE THE INDUSTRIAL BOARD PLACED ON THE AGENDA.**

Chair Holt asked when the budget items less than \$25,000 would be on the agenda.

Mr. Presnell stated it would be on the next agenda.

Commissioner Hinson asked why it was not on this agenda, because the Board had directed it to be brought at the next meeting.

Chair Holt stated she would like to have a one hour workshop before each meeting to review all items on the agenda to make the meetings shorter.

Commissioner Morgan said she could motion the item for discussion, but it could not be placed on the agenda for action.

Mr. Weiss said there was no statutory prohibition against taking action at a meeting that was not agendaed.

Commissioner Morgan re-phrased his statement and said “Why would we not agenda that for discussion in case we have anybody, any of our citizens that may want to comment on it or any of the commissioners around the Board that might want to consider it before they vote on it?”

**CHAIR HOLT MADE A MOTION THAT THEY HOLD A WORKSHOP AT 5:00 BEFORE THE COMMISSION MEETINGS FOR DISCUSSION OF ITEMS THAT WOULD BE ON THE AGENDA. MOTION DIED FOR LACK OF SECOND.**

**UPON MOTION BY CHAIR HOLT AND SECOND BY COMMISSIONER VIEGBESIE THAT THEY AGENDA A 5:00 WORKSHOP BEFORE THE MEETINGS FOR DISCUSSION ON THE NEXT AGENDA, THE BOARD VOTED 2-3 BY VOICE VOTE. COMMISSIONER MORGAN, COMMISSIONER HINSON AND COMMISSIONER TAYLOR OPPOSED. MOTION FAILED.**

**RECEIPT AND FILE**

**20. Competitive Florida Partnership Program 12/15/14 Kickoff Meeting Report**

**UPCOMING MEETINGS**

- 21. March 3, 2015-Regular Meeting @ 6:00 p.m.  
March 17, 2015-Regular Meeting @ 6:00 p.m.**

Gadsden County Board of County Commissioners  
February 17, 2015 – Regular Meeting

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT ADJOURNED TO MEETING AT 8:45 P.M.**

GADSDEN COUNTY, FLORIDA



  
BRENDA A. HOLT, 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 MARCH 3, 2015, AT 6:00 P.M.,  
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1-appeared by telephone  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
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 Holt called the meeting to Order at 6:00 p.m., asked for a moment of silence and then led in 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**

There were no amendments to the Agenda.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS PRESENTED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Proclamation Honoring Aaron "Coach" Battle**

Chair Holt read aloud and presented the Proclamation to Mrs. Arrie Mims Battle.

**CLERK OF COURTS**

**2. Cash-In-Bank Summary Report**

Mr. Thomas gave a Cash-In-Bank Summary Report for the Commissioners. He said totals changed from day to day and on February 17, 2015, with all funds and accounts combined there was a total of \$17.5 Million. He pointed out in the General Fund, there was \$11.3 Million and approximately \$6 Million was Fund Balance. He said there was \$429,284 in the fund and while it might sound like a lot, it was as low as it has been in a long time. He said equipment was bought earlier in the fiscal year and cash was paid for it. He said he knew they were getting ready to do a bond for \$6.4 Million and none of that money could be used for general operation and when the bond was done previously, it was structured in a way they had to draw the money down and that was a good reason to have general fund balance. He then mentioned the EMS fund and said it had \$133,000 in it and there was a caveat to it. They had budgeted \$369,000 General Fund transfer and have had to transfer \$300,000 of that and that account would need to be watched over the course of the fiscal year. He then mentioned the Boating Fund that had \$181,000 in the account and said they have had that fund for quite a while and was money that came from collections at the Tax Collector's office that the State forwarded to us. He said they keep asking

what the plans were for the money and there was a good chance they might ask for it back and he advised them to “spend it”. Lastly, he mentioned Fund 661, dividends off the Hospital Endowment Fund. He reminded them a few years ago money was given to the Hospital and that was gotten back and there was \$273,000 in the fund, which could be used for build-out and major expenses at the Hospital. He said \$90,000 was budgeted for a chiller and told them to keep in mind it was money that could be used for additional build-out at the hospital.

Commissioner Taylor asked which fund could be used and Mr. Thomas responded it was the boating improvements, fund 178 and there were restrictions on that fund.

Commissioner Morgan asked about the boating fund and what the limitations were to those funds.

Mr. Thomas responded it could be used as long as it was related to boating, docks and ramps.

Commissioner Morgan asked about the transportation fund and asked him to talk to the public about what those funds were used for and why it was important to have a healthy balance in that account.

Mr. Thomas said the Transportation Fund was the Public Works department and it was important to have a healthy balance was if there was ever a storm during hurricane season and they needed to spend money to handle major repairs, FEMA was reimbursable, if gotten at all and was slow, and the money was needed to be able to do things and with the bond, they would not have the cash to do it and would have to be funded from the General Fund.

Commissioner Morgan said if they did that, they would have to repay it.

Mr. Thomas explained they stressed to have a separate fund balance for transportation because of the potential was so great.

#### **CONSENT**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS WRITTEN.**

#### **3. Approval of Minutes**

- December 16, 2014 Regular Meeting
- January 6, 2015 Regular Meeting
- January 20, 2015 Regular Meeting

#### **4. Approval to Dispose of Surplus Property and Equipment**

#### **ITEMS PULLED FOR DISCUSSION**

There were no items pulled for discussion.

#### **CITIZENS REQUESTING TO BE HEARD**

There were no citizens that requested to speak.

#### **PUBLIC HEARINGS**



**5. PUBLIC HEARING-Continued-CDBG Grant Application**

Mr. Presnell introduced the above item and said was a continuation of the public hearing for a CDBG application to purchase the old Thomas Motor Car property for the new EMS facility.

Chair Holt asked Commissioner Hinson if he needed more time for research.

Commissioner Hinson said he was ready to move forward.

**COMMISSIONER VIEGBESIE MADE A MOTION TO ADOPT THE RECOMMENDATION OF THE CITIZENS ADVISORY TASK FORCE TO SEEK FUNDING TO BUILD A NEW EMS FACILITY ON THE GROUNDS OF THE HOSPITAL AND CHAIR HOLT MADE THE SECOND. COMMISSIONER TAYLOR CALLED FOR QUESTIONS.**

Commissioner Taylor said in looking at the agenda, the item before the Board was to approve or not approve applying for the CDBG grant for the building and property and the building of a new building not agendaed.

Chair Holt said they could move on the motion and second and called for the vote.

Commissioner Morgan agreed with Commissioner Taylor and asked the Attorney for guidance.

Mr. Weiss recommended adopting the task force recommendation and disapprove moving forward otherwise and recommended the motion be amended to adopt the task force advisory not to move forward with the application.

Chair Holt asked Commissioner Viegbesie if he wished to amend his motion.

Commissioner Viegbesie he would rather amend his motion to say if they apply for the money and if gotten, go forward with building an EMS facility in a location they already had. He asked who owned the property and who held the title to property.

Mr. Presnell said Capital City Bank owned the property, it had been repossessed.

Commissioner Viegbesie asked what financial institution was acting as the realtor that wanted to write a grant to purchase the property.

Mr. Presnell said Capital City Bank and they hired a grant writer.

Commissioner Viegbesie said it was his point of view that was not the direction they should go.

Mr. Presnell stated if this was going the way it seemed it was going by not purchasing the property, they would be a year out and will miss the cycle and it did not need to be decided now.

**COMMISSIONER VIEGBESIE AMENDED HIS MOTION TO APPLY, WHETHER NOW OR NEXT YEAR, AND WHEN THE APPLICATION IS GOTTEN, THE FUNDS SHOULD BE USED TO BUILD AN EMS FACILITY WITH THE RECOMMENDATION OF THE CITIZENS'S TASK FORCE AND CHAIR HOLT MADE THE SECOND.**

Mr. Weiss said before them tonight was option 2, but to move forward at a later date with a different CDBG grant.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 3-2 BY VOICE VOTE FOR OPTION TWO. COMMISSIONER MORGAN AND COMMISSIONER TAYLOR OPPOSED.**

**6. PUBLIC HEARING-(Quasi-Judicial)-Fletcher Mine Driveway (V-2015-01) Consideration of a Variance Order**

Mr. Presnell introduced above item and said it was to request two variances from the Land Development Code regarding a road through the Rural Residential Future Land Use category and regarding the separation distance between the driveway and an existing road. He further explained it was an existing road going into an old mine and the landowner/agent proposed to move the road to have direct access to County Road 65. He further stated they held the Citizens Bill of Rights meeting and there was no opposition.

Commissioner Morgan said this was a good example of how the Citizen's Bill of Rights was designed to work and did work.

Commissioner Viegbesie asked in order for this item to be approved, did this need super majority to pass.

Mr. Presnell and Chair Holt said yes.

Commissioner Taylor said this was a public hearing and was not acknowledged with the last item and the public was not given a chance to speak.

Chair Holt said they always give the public a chance to speak, she was trying to get all the questions out of the way first.

Commissioner Taylor pointed out the public did not have a chance to speak regarding the CDBG grant for the EMS facility.

Chair Holt said she was correct and they had failed to see if anyone had any comments regarding that item. She said they could finish this item and then see if anyone wished to make any comments regarding the previous item.

Chair Holt said there was a notification process was in place before the Citizen's Bill of Rights was established.

Chair Holt asked if any public comments and there were none.

Commissioner Viegbesie asked if this was for approval of narrowing the road and shortening the driveway to give property owners more land.

Mr. Presnell explained they were asking for a variance on the separation distance because they could not get quite what the Land Development Code required and asked the consultant to step forward to better explain.

**Randy Lane, Consolidated Design Professions, Consulting Engineer**, was sworn in by Marcella Blocker, Deputy Clerk, and explained they were moving road the 160 feet as opposed to 185 feet and this would be a temporary road that would service the mine as a mine and when the mine was closed, the road would be taken away.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

Mr. Weiss said they did not ask if there were any public comments for Item 5 regarding the CDBG grant for the EMS facility and asked at this time if there were any comments and there was none.

#### **GENERAL BUSINESS**

**7. Approval to Utilize Law Enforcement Funds to Conduct Fourth Annual Rural County Summit**

Mr. Presnell introduced the item and said it was for Board approval to utilize County Law Enforcement Training Funds in the amount of \$12,000 to conduct the Fourth Annual Rural County Summit to be held April 15-17, 2015. He explained the funds would cover speakers travel as well as the training venue costs.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**8. Approval of Fuel Services Inter-local Agreement with FAMU Board of Trustee**

Mr. Presnell introduced above item and said it was for Board approval to enter into an Interlocal Agreement with FAMU Board of Trustees for the dispensing of fuel.

Commissioner Morgan asked the Administrator if agreements could be made only with other governmental agencies and if this qualified. He also said there had been collection issues in the past and asked about the penalties.

Mr. Presnell explained there were clauses to include penalties and interests and he had expressed to the FAMU Board problems that had been experienced in the past with other agencies.

Mr. Weiss said the definition of “Public Agency” and “Intergovernmental” would include them.

Commissioner Viegbesie asked about penalty for non-payment, late payment and termination and did not see it included in the agreement.

Mr. Weiss said the administrative fee was included, but he also did not see the same terms of interest and penalties as the other ones had. Mr. Weiss added that he had not seen this before it was placed on the Agenda and their Attorney must have drawn this up.

Chair Holt said they could approve the item with the adjustments added.

Mr. Weiss said he would like to make sure it was consistent and would like to make a few other changes.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO TABLE THIS ITEM UNTIL BOTH ATTORNEYS REVIEW AND BRING IT BACK.**

**9. Approval of 2015 Small County Consolidated Grant Agreement with Florida Department of Environmental Protection (DEP)**

Mr. Presnell introduced above item and said this item was for Board approval of a funding agreement between the Gadsden County BOCC and The Florida Department of Environmental Protection for the Solid Waste Program. This grant is received each year and the amount was for \$90,909.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**10. Discussion of Implementing Workshops Prior to Each Regular County Commission Meeting**

Mr. Presnell introduced the above item.

Chair Holt said when she mentioned this last time, crickets could be heard. She added that she had spoken with other counties and they hold workshops but it was not mandatory that the Commissioners attend and did not need a quorum because of the fact it was a workshop. She said they could come in one hour early twice a month and if they felt it was not needed then not vote for it.

Commissioner Viegbesie pointed out this was just for discussion and not for a vote, but he said he understood the intent and what it was designed to do, but he had a concern that if it were something the Board could discuss and there were no quorum would it be out of sunshine?

Chair Holt said no.

Mr. Weiss responded they could hold workshops and a quorum was not required to do so, they could not vote and could not discuss their preferences, they could only ask questions and gather information and the workshop would be publicly noticed.

Commissioner Taylor said the Chair beat her up enough at a regular meeting and did not want to attend an extra hour for more and was not in favor of it. She added when there was open discussion, and based on the ideas, concepts and perceptions that were shared, it gave them an idea of how a Commissioner would vote on an issue, knew they could not vote, but would give them an idea of how a Commissioner would vote. She said she would not attend and would not want to attend and would not support it, but if they felt there were items that needed to be discussed beforehand as they had done in the past, she was willing to do so, but she was unable to attend workshops on a regular basis because of her work.

Commissioner Morgan shared the same concerns that Commissioner Viegbesie and Commissioner Taylor stated, he added he understood the intent, thought it was good, but felt they had a hard time staying on agenda items at times during their regular BOCC meetings.

Chair Holt asked if Commissioner Hinson had anything to say and he said no comment.

Chair Holt said she had no problems with not doing it now, but asked that they consider it for later. She added “if you plan and you work, you’ll have accomplishments. If you sit back and try to handle it in a meeting, it’s not going to happen. Now, the other thing is, as one man commented to me at Florida State Hospital, he said this, ‘Ms. Holt, we were in y’all’s meeting for, I was in the meeting and y’all kept us there until almost 10:00. I work for a living. All I want to do is take care of my item and leave. I don’t want to sit here and hear y’all say all that stuff. Y’all can get y’all’s questions out of the way early, I can get a vote and go to work.’ So those were the only two reasons I brought that up. Make progress, economic development especially and give the public a break. Those are my only two reasons. But since it’s not up for a vote, let’s move on.”

**11. Discussion and/or Approval of Revisions to the County’s Procurement Policy**

Mr. Presnell introduced above item and stated it was for review and discussion of possible revisions to the County’s Procurement Policy.

Mr. Arthur Lawson appeared before the Board and said it was requested to bring back the County Administrator’s spending threshold. He said even though the Administrator had approval up to \$25,000, there were still policies that must be adhered to and they received the quotes, reviewed by his office for anything between \$10,000 and \$25,000 and he made recommendations to the Manager. He added that the Manager did not individually receive any quotes on any products, staff did and they made the recommendation to him for approval. He added that any contracts that were let to any vendors had to come before the Board and the Board approved all contracts. He added that most of the items they dealt with on a daily basis were to expedite the business of the County. He added they buy services and equipment to keep the County functioning; Public Works equipment, maintenance equipment, etc. and said there were a lot of old buildings and thing break down periodically and if the purchasing threshold was set too low, it would hinder the County and gave an example. He said if one of the AC units went out, typically they would cost between \$8,000 to \$10,000 and said if one went out in 99° and it had to be bid rather than receive quotes so it could be expedited in being fixed, the process could take upwards to two months. He further stated County government was like any other business, it had to run and had to run efficiently and the current policy and thresholds were in place for almost ten years and there had never been a problem with the purchasing of any supplies or equipment.

Commissioner Viegbesie asked Mr. Lawson what the threshold was before April, 2006 when this threshold was adopted.

Mr. Lawson responded it was set at \$10,000.

Commissioner Hinson said if they looked at Jackson County, their threshold was \$5,000; Madison County was at \$5,000; Suwanee County was \$5,000 and there were some affluent areas such as Nassau, Jacksonville and Fernandina Beach were very rich and affluent and they could afford \$50,000. He said the reason he felt they needed to be conservative was the State was about to make some critical tax cuts and until they found out what direction the State was headed, they needed to keep it low until they saw where things were headed.

Commissioner Morgan said he did not follow what he said, and asked how the County’s purchasing plan that was currently in place how tied into place what the State was doing.

Chair Holt said the County was going to get a hit in reduction of funds.

Commissioner Hinson asked them to look at page 3 and 4 and it showed the purchasing thresholds of other counties. He added when he attended the Governor's inauguration, he talked about how many taxes he wanted to cut and that meant the County would take a large hit.

**UPON MOTION BY COMMISSIONER VIEGBESIE TO HAVE THE THRESHOLD AT \$5,000 AND COMMISSIONER HINSON MADE THE SECOND. COMMISSIONER TAYLOR CALLED FOR A QUESTION.**

Commissioner Taylor said they needed to be careful, but she understood they were trying to be visionaries and conservative, but there was a check and balance in place with Clerk's office and since she had been a commissioner, there had not been a more conservative administrator and was why the reserves were where they were. She said with that motion, a \$5,000 threshold based on other counties was a funny thing and those other counties had different personalities, stipulations and guidelines and this would now tie the arms of this government with the \$5,000 threshold. She said she appreciated being mindful; however the dollars spent now were dollars in their coffers and they were mindful in going forward with that might happen in two to three months and this was not a progressive move. She added if the Board voted for this, she asked that the Administrator and the Assistant to remind the Board of the hindrance with the delivery of service and how their responsibilities could not be fulfilled and she was not going to vote to reduce the threshold. She asked Commissioner Viegbesie for clarity of his motion.

Commissioner Viegbesie said currently the threshold was at \$25,000 and anything over \$25,001 needed formal bids and his motion was to move the threshold to \$5,000 and anything over \$5,001 would fall under the requirement of formal bids and anything under that amount could require one or two quotes and the Administrator and the director of the area where the funding was needed could go ahead and make the expenditures for it.

Commissioner Morgan said "I hear the conversation here and what would happen is if that gets done, it's going to end up costing us money rather than saving any money because of all the administrative nightmares that is going to take place because of this and you are going to have, you are taking a policy that was working and about to make it 100% dysfunctional, because there are tons, you can see the Administrator's head nodding, because there are tons of items that are going to fall from the \$5, to \$8, to \$10, to \$12,000 range that the local government is going to be purchasing and it's going to just cause cogs in the wheel. This thing's going to be a nightmare and the people that suffer from that are going to be the general public, ones paying the tax dollars. Just like Commissioner Taylor was saying, we are not going to effectively deliver and provide the services like we are now. If there was a problem with what was going on with this and we had reason to consider, I would be all for it, I really would. But We've got something, a policy in place that is effective and working, why go out of our way to screw it up? This is going to be, I'm telling you guys, this is going to be a nightmare in the making."

Mr. Presnell said they would carry on with whatever policy the Board adopted, but would be remiss if he did not tell them the \$5,000 figure, from experience of being a Department Head as well as the Administrator, would cause serious issues and with Public Works, if the equipment went down and went out for a formal bid and getting it back to the Board and on the Agenda with the ten day requirement, the equipment would be down six weeks and would have no power to do anything about it. He added that Mr. Lawson had given an example of the air conditioning unit



at \$8,000 or \$9,000 and it taking a six week process to replace the unit and that would be what they could face at the \$5,000 figure. He added that he had no problem with them reducing it, but it would cost some serious issues that he wanted to make them aware of.

Mr. Lawson said he had been with the County 23 years and never had the threshold been less than \$10,000. He said they would have to spend additional money advertising and additional staff time dealing with it. He said they were concerned with only receiving one bid before, but a lot of vendors did not want to take the time to go through the formal process of putting together a bid document for \$5,000 to \$6,000, but would give a quote. He added as the Administrator had said, whatever they did, they would deal with it, but felt he needed to make them aware of the serious complications.

Commissioner Hinson called for question.

Chair Holt said she had called a couple of counties, Jackson and Madison, and asked what they did for things over \$5,000 and how they ran things at \$5,000. They informed her if an emergency, they would bring it back before the Board as an emergency. She added that they upped the limit when they were building fire stations and libraries.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 3-2 BY VOICE VOTE. COMMISSIONER MORGAN AND COMMISSIONER TAYLOR OPPOSED. MOTION PASSED.**

**12. Discussion of Possible Amendment to Ordinance 2014-002 Relating to Private Road Acquisitions**

Mr. Presnell introduced above item and said the Board adopted Ordinance Number 2014-002 and the Board had expressed an interest in possibly amending the Ordinance to enable consideration of more private roads for acquisition.

Commissioner Viegbesie asked if they were considering changing from 60' roadway to what?

Mr. Presnell said they were looking at reducing from 60' at the roadway and it was before them a few weeks ago and there were some consensus for the Board to bring it back to discuss what width and would it increase amount of roads from private to county-maintained-yes.

Commissioner Viegbesie asked if that would increase the amount of roads that the sign colors would change from green to blue (from private to county maintained) and how it would affect the original mobility plan for CRTPA projects with regards to the ability to receive funding for SCRAP, SCOP, CIGG and LAP grants.

Mr. Presnell explained if they accepted a narrower roadway, it would hurt the chance of receiving future funding for that particular road. But, he said, with the bigger issue of the County having a policy accepting the narrower roads would hurt on the other level, he was not sure how that would affect them.

Commissioner Viegbesie said in looking at the development at CRTPA with the changes that were going on, if this were done it would hurt eligibility for being included in the prioritization of roads that funding would come out of to help us with roads in the County. He added they needed to look at how it would impact the development of roads.

Commissioner Taylor said with regards to private roads, they were trying to give citizens relief on those roads because they pay taxes, vote and live in this County. She added it would not have any impact with regards to CRPTA because the County offers roads to CRPTA for consideration and try to give to CRTPA roads that would be approved. She added she was just asking to give citizens relief.

Commissioner Viegbesie said he had met with Transportation, the Engineer and County Administrator a few days ago to work on the transportation plan to see how it would fit CRPTA planning and added that CRTPA was now accepting and adopting roads with a point system. He added that they could have all the roads in the County adopted, but if it did not meet the criteria that CRPTA used, most of them would not be a part of what would be considered.

Chair Holt said if they were going to do this, take the roads that were already 60' wide and then could work on others because they would need to come up to standard anyway.

Commissioner Taylor said she brought this some time ago to try to give relief to some residents. She said her only goal was to try and incorporate as many people off these roads as possible because there were a number of private roads in the County. She asked them to consider that this was their constituents and they were paying the same taxes and having the same responsibilities as the ones who were on a public, paved road.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION THREE.**

#### **COUNTY ADMINISTRATOR**

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

##### **Legislative Day**

Mr. Presnell said their Gadsden Legislative Day would be Thursday, March 12<sup>th</sup> from 9:00 a.m. to 1:00 p.m. at the Capitol and more information would follow regarding that.

##### **Gadsden Connector**

He informed them of the ribbon cutting at the Winn Dixie Plaza for the new bus program, The Connector and more information would follow for that as well.

##### **Board Retreat**

He told them the Retreat was scheduled for April 9<sup>th</sup> at 4:00 p.m. at Creek Entertainment and he had reached out to Florida Association of Counties and they recommended someone to facilitate the retreat.

##### **Citizen's Bill of Rights**

He also said the Citizen's Bill of Rights Workshop will be on the 17<sup>th</sup> prior to the regular Board Meeting starting at 4:00 p.m.

##### **Annual Relay for Life**

He said last year there were personal donations along with what was given by the Board and asked if they were interested in doing the same this year and if so, what amount they wished to give.

Commissioner Viegbesie asked if this should be an item placed on the agenda.

Commissioner Morgan asked if they gave individually last year.

Mr. Presnell said two commissioners did, but the Board also gave money as well.

Commissioner Taylor agreed with Commissioner Viegbesie that this should be placed on the Agenda.

Commissioner Holt said she worked the Capitol earlier in the day and said there were many groups between the old Capitol and the new Capitol. She said there were chairs, tents and groups working the Legislature and they needed to spruce up their efforts. She also said Former Senator Lawson and Chris Doolin got together and had a room so Gadsden County would have their own room to lobby some of the Senators and Representatives that would be coming through and have refreshments.

Commissioner Viegbesie asked if Mr. Lawson and Mr. Doolin would identify specific Legislators that would be relevant to Gadsden County.

Chair Holt replied yes.

#### **COUNTY ATTORNEY**

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

Mr. Weiss gave an update on the Ashford Healthcare litigation and said they were successful in getting it dismissed at the trial court phase, getting it affirmed on appeal and when he last brought it to the Board there were questions regarding the attorney's fee and if they would appeal the District Court of Appeals decision and they were not successful in recovering the majority of the County's attorney's fees.

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

##### **15. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County.**

###### **Commissioner Viegbesie, District 2**

Commissioner Viegbesie said he had two items and hoped they could be addressed expeditiously. The first one was an old sign on Highway 12 where a daycare used to be and showed "School Zone" and showing 35 MPH. He said one was coming from Havana and the other from Quincy just before the daycare or school. He said a citizen called him and said he had been given a ticket but the school was no longer there. He asked if they could look into having the signs removed so tickets would not be issued.

Mr. Presnell explained it was a State road and would have to go through DOT, but would get the ball rolling on that matter.

He said the second item was the intersection at Highway 12 and Point Milliken needed a caution

light because it was a dangerous for vehicles coming from Point Milliken or coming from Havana on Highway 12.

Chair Holt asked if the light on a State highway had to go through DOT and Mr. Presnell responded yes, it would have to go through the Community traffic Safety Team and then be forwarded to DOT.

**Commissioner Morgan, District 3**

Commissioner Morgan said if the other members had not done so yet, to look at the quarterly report from the Chamber.

**Commissioner Taylor, District 4**

Commissioner Taylor said she had two things and asked the Administrator about the recommendations made to his office regarding the Planning and Zoning representatives from District 5 and asked when it would come before the Board for approval.

Mr. Presnell stated on the 17<sup>th</sup> at the next meeting.

She announced that the Gadsden County School Board was hosting the Special Olympics on March 6<sup>th</sup> at 9:30 a.m. and was called Fans in the Stands.

**Commissioner Hinson, Vice-Chair, District 1**

Commissioner Hinson thanked the Administrator and Staff for an outstanding job last month.

**Commissioner Holt, Chair, District 4**

Chair Holt said she went to Tallahassee and met with a couple of Senators to push the Agenda forward and stressed the need to lobby every chance they could.

**Goodwill Opening**

She said when she attended there were no elected officials present and Mr. Bullard interviewed her several times and she tried to sell on radio the job availability, the service center where you could learn computer skills and economic development until other elected officials came.

She mentioned that Gwen Graham's aide was present to meet with anyone and any ideas they had to take back to her.

**RECEIPT AND FILE**

- 16.**    **a. Mediacom February 6, 2015**
- b. Gadsden County Health Department Source of Contribution Report**

**UPCOMING MEETINGS**

- March 17, 2015 – Regular Meeting @ 6:00 p.m.
- April 7, 2014 – Regular Meeting @ 6:00 p.m.

Gadsden County Board of County Commissioners  
March 3, 2015 – Regular Meeting

**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 7:39 P.M.

GADSDEN COUNTY, FLORIDA



ATTEST:

NICHOLAS THOMAS, Clerk

BRENDA A. HOLT, Chair  
Board of County Commissioners

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON MARCH 17, 2015 AT 6:00 P.M.,  
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
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 Holt welcomed everyone and called meeting to order at 6:00, called for a moment of silence and led in 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 Holt asked if there were any amendments to the Agenda.

Mr. Presnell stated he would like to add Item 13A-Authorization to draft and file a motion for leave to file a brief on behalf of Gretna Racing, LLC in the First District Court of Appeal case of Gretna Racing, LLC v. Department of Business and Professional Racing, Division of Pari-Mutual Wagering; and if the motion to file the brief is granted, to draft and file the brief.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AMENDMENT OF THE AGENDA.**

**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**

**1. Proclamation Honoring Mersey Mae Bell**

Mr. Presnell introduced the above item and Commissioner Viegbesie read the Proclamation aloud and then presented it to her granddaughter, Michele Hawkins.

Mrs. Hawkins thanked the BOCC and said it meant a lot to her, as Mr. Edward Butler, whom the building was named after and was her father, was Ms. Bell's son.

**CLERK OF COURTS**

Mr. Thomas was present and had nothing to report.

**CONSENT**



**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS WRITTEN.**

- 2. Approval of Minutes**
  - a. February 3, 2015 Minutes**

**ITEMS PULLED FOR DISCUSSION**

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

**PUBLIC HEARINGS**

**GENERAL BUSINESS**

**3. Discussion of Roles and Responsibilities of the Gadsden County Industrial Development**

**Authority**

Mr. Presnell introduced above item and stated it was presented to the Board for discussion of the roles and responsibilities of the Gadsden County Industrial Development Authority. He added that the Commissioners had asked that this be placed on the Agenda so they could discuss how it related to the Gadsden County Economic Council.

Commissioner Morgan recognized Calvin Dawkins, the District 3 Member and Chair Holt recognized Gene Marshall, the District 4 Member, who was present in the audience.

Chair Holt said when the Economic Development Board had met the Industrial Board had not been involved and felt it would be good for the two Boards to meet together.

**Calvin Dawkins, District 3**, appeared before the Board and said he had been on the Board for the past four to five years. He added that Mr. Gardner would call the meetings and they would discuss development and businesses that were interested in coming into the County and establishing their businesses here.

**Gene Marshall, District 4**, appeared before the Board and said she represented the Gretna area and the Board would meet every June with the exception of the past year and they met in July and they would discuss items and business that were interested in coming to the area.

Chair Holt asked if they only meet once a year.

Ms. Marshall said that was correct.

Chair Holt said she was interested in how could get the boards to meet together to help improve economic development and asked if they were interested in meeting more than the once a year. She stated maybe they should look into holding joint workshops with the Boards (Industrial Development Authority, Tourist Development Council and Economic Development Council). She said they had just hired a marketing company to help market the County and She also pointed out that the Industrial Board was the only other Board that the Commission appointed that could borrow money.

Mrs. Marshal said they would share it with the rest of the board members.

**4. Discussion Regarding the Composition of the Gadsden County Planning Commission**

Mr. Presnell introduced above item and said Commissioner Morgan had requested this item be brought back to give history on the make-up of the Board and how the appointments were made as far as representation and background information was supplied. He added that currently each Commission Member appointed two Planning Commission Members and one was at-large and one School Board member appointed by the School Board.

Commissioner Morgan recognized Mr. Frank Rowan and said he was at all the meetings as well as most of the board meetings. Commissioner Morgan said he not familiar with the creation of the board, he assumed that 2 members they were to appoint were required to come from their own district to have fair representation throughout the county. He said he knew this was not for action tonight, but he just wanted feed-back from everyone and would like to hear from Allara Gutcher, the Planning Director, on what she had to say regarding the make-up of the Planning Commission. He also thought it imperative that they appoint people from their own district to serve and asked if it was in the Ordinance to do the same.

Mr. Presnell said the existing Ordinance gave each member two selections, but it did not designate where they were to come from.

Commissioner Morgan asked if they thought that was the intention when this Ordinance was originally created. He added there were some things he felt could be cleaned up and this be made a better Ordinance.

Mr. Weiss said he felt as the Ordinance was written, there was no legal requirement stating they had to appoint from their own district.

Commissioner Viegbesie asked if any BOCC members had appointees that were not from the commissioner's district.

Chair Holt said there was one, in her District and she was happy with the appointee.

Commissioner Viegbesie said the reason he asked and what Commissioner Morgan said made a lot of sense, if the Commission was going to appoint the members and if the appointment was to be representing that district, if this was done prior to single member districts, maybe that was something the Board needed to address to see how that requirement could be changed. He said he felt the membership of the Commission should be representative of the Commissioners that appointed them in order to have proper representation in the democratic system.

Chair Holt said she was "more interested in intelligence than I am your address so that way it works out well. Ah, if the person knows the law and pretty much abreast of it and they study it, I'm more interested in that. I do have a Commissioner that is not in my District, but they have been a Commissioner before and they know the law backwards and forward and I like it that way. Ah, and they represent the County well, so, but that's the reason I chose them, was because of that. It is up to the Board, you can say if you want to bring it back later. I like the way it is already."

Commissioner Morgan asked for it to be brought back before Board to vote up or down changes they felt might be necessary to have representatives from the Commissioners' district and to have an odd number on the Board.

Commissioner Hinson stated the School Board member was not able to vote.

**Allara Gutcher, Planning & Community Development Director**, appeared before the Board and stated the local Land Development Regulations allowed the School Board member to be able to be a voting member.

David Weiss pointed out "the statutory requirement is that a School Board member be able to sit on the Planning Commission and attend meetings where there may be an increase, where you are considering an item where it may result in an increase in residential density. The statute is silent in terms of...the statute says 'non-voting' but it does not mean that the Board can't make a decision to have them as a voting member. So that's basically..."

Commissioner Morgan pointed out that Mr. Ed Allen, another Commission member, was also present.

**UPON MOTION BY COMMISSION MORGAN AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-1 BY VOICE VOTE TO BRING THIS ITEM BACK. CHAIR HOLT OPPOSED.**

**5. Approval of Appointments to the Gadsden County Planning Commission**

Mr. Presnell introduced above item and said there were two appointments to the Gadsden County Planning Commission and both were in Commission Taylor's district. He said she had recommended Marion Lasley and Malcom Carter.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 TO APPROVE THE APPOINTMENTS.**

Commissioner Taylor asked that she be able to recognize Mr. Ed Allen and asked his to come forward to give accolades for his heart and soul he has put into his efforts with the Commission and she appreciated all that he had done and the timeless hours that he had devoted to the County with regards to development. She added that he had been a "man of his word, you've been difficult, but in a positive way. You just want to see what is good and what is best." She said she admired his strength and what he had done for the County.

Mr. Allen said he would like to second Commissioner Morgan's thoughts that he had been on the board for several years and it made sense to have commissioners appoint from their own district.

Commissioner Hinson said he had the opportunity to work with him when he served on the school board and also thanked him for his service to the County also.

Commissioner Viegbesie said his commendations were not just to Mr. Allen for the years of his service, but to anyone who worked in an advisory capacity as a citizen in the County and it was a lot of responsibility that a lot of people do not realize how much it involved.

Chair Holt thanked Mr. Allen for his service and said he had worked hard and was passionate.

**6. Johnson William; Parcel ID No. 3212N3W0000042102200 Code Enforcement**

Mr. Presnell introduced above item and said the item was for board direction regarding a code violation on the above referenced property that was located at 139 Byrd Road, Quincy, FL. He added that they had taken bids and the low bid was at \$3,389 and if the Board approved, they would accomplish this and a lien would be placed on the property.

**MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN.  
CHAIR HOLT CALLED FOR A QUESTION BEFORE THE VOTE.**

Chair Holt stated this was the company from Sneads and no-one in the county was low bid?

Mr. Presnell stated there were other bids, but they were not the low bid.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**7. Disposal of Ashford Medical, Computer and Business Records**

Mr. Presnell introduced above item and asked that Attorney Michael Glazer address this item and it was concerning disposing of old medical and business records along with computers that were abandoned when the former operator of the Hospital abandoned it in 2005.

**Michael Glazer, Assistant County Attorney**, appeared before the Board and said when Ashford left the hospital there was a massive amount of things left behind, thousands and thousands of medical records, e-rays and business records along with computers. He said the County took possession of the items because the building belonged to the County and have stored and locked them away all of these years. He said they were maintained because of the ongoing threat from Ashford and then Ashford's successor in the bankruptcy of potential litigation and after many years, the bankruptcy ended, there was a successor, they did sue the County and the Attorney was very successful in getting the lawsuit dismissed. He said they did file an appeal and the attorney was successful in getting that dismissed and was able to get attorneys' fees from them. He said if the County was ready to do so; it was time to get rid of all the items there. He said even though things were boxed up real neat, no-one would be able to locate any records without spending hundreds of man-hours of work. He said County Staff had looked into disposing and because there were medical records and patient information in them, they could not be taken to the dump and the estimate was there were approximately 2,000 boxes in addition to the old computers. After being looked into by county staff, he said the estimate was approximately \$14,000 to destroy.

Chair Holt asked if a patient decided did they have any rights to the records.

Mr. Glazer stated there was no specific timetable in Florida law for disposal and while there were some rules, the outside appeared to be seven years and that had long since passed.

Chair Holt said everyone had been told they were in litigation and records could not be given out and wanted to make sure if records were destroyed, they at least gave people an opportunity and was not sure if they ever had done so.

Mr. Glazer said he was not aware of the County providing any notice when they first took over the hospital. There were occasions where there was a request from an attorney when there was a lawsuit and his memory was when they were told of the time and expense necessary to find them, suddenly the requests were not as important.

Chair Holt stated she did not want to destroy things that people had not had an opportunity, but was interested in what the Board had to say.

Commissioner Viegbesie asked if there was a specific statute of limitations with regard to the length of time the records should be kept.

Mr. Glazer stated there was no specific State or Federal law, but there were guidelines under Medicare for seven years. He said there were certain records that had shorter time periods, but they all allow for disposal within those timeframes. He said he wanted to mention, while there was always a risk that someone might want their records, there was also a liability to the County for continuing to hold the records should there be a breach and someone broke in and started stealing records.

Chair Holt stated that was always a problem with medical records and any hospital, but her point was if they should give the public a chance to look at the records if they wanted.

Commissioner Viegbesie asked if they had considered converting the records into electronic records.

Commissioner Morgan asked if the County was required legally to approach any of the patients to give them the availability to their records

Mr. Glazer stated no.

Commissioner Morgan then asked if there were any other liability that the County was taking on for keeping or destroying the records.

There was further discussion regarding the medical records. Please see [www.gadsdenclerk.com](http://www.gadsdenclerk.com) and view the video for information.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE SHREDDING OF THE RECORDS AFTER THIRTY DAYS NOTICE TO THE PUBLIC AND PUBLIC BE MADE AWARE OF THE COSTS ASSOCIATED AND FOR THE ADMINISTRATOR TO FIND THE MOST COST EFFECTIVE WAY TO GET DONE AND THE FUNDING SOURCE BE IDENTIFIED. COMMISSIONER HINSON OPPOSED.**

**8. Discussion of the History, Lease and the Current Use of Space with Capital Regional Medical Center-Gadsden Memorial Campus**

Mr. Presnell introduced above item and stated it was for discussion of the history, lease and current use of space with Capital Regional Medical Center-Gadsden Memorial Campus.

Mr. Glazer made a brief statement regarding the history of the lease.

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

Mr. Glazer gave a little history of the hospital. He said the hospital was closed by the State under the ownership of Ashford in November, 2005 and between then and 2009, bids were put out. Tallahassee Memorial was chosen to re-open it and in 2009 they notified the County they were no longer interested. At that time the license for the hospital was in an inactive status and was set to expire and be permanently lost in the Summer of 2009. Discussions began with Capital Regional Medical Center and the County had to go to the Florida Legislature to get an additional year in order to find a way to reopen the hospital. The County passed a ½ cent sales tax to be used in the refurbishing the exterior and interior of the hospital. Ultimately negotiations were reached with CRMC and its parent company, HCA and resulted in a lease for them to operate what the County currently has. He said it has been operating as a full-time emergency department staffed the same way with emergency room physicians, but the hospital did not operate with in-patient beds although that opportunity was available if Capital Regional chose to do so at a later date.

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

Mr. Glazer further explained the lease was amended a couple of years ago and a different portion of the space was renovated as a potential office area and CRMC was now bringing over specialists a couple days a week. He further explained that the hospital did not occupy the entire structure and there was the area that was commonly referred to as the old Urgent Care Center that was vacant space and a couple of old patient wings that were gutted. He also stated that CRMC leased the hospital for \$1.00 per year and in addition provided some funding because of the level of indigent care the funds did come from the Hospital Trust Fund and the half cent sales tax because of amendments and negotiations done with the hospital, now all of the funds come from the half cent sales tax and the money was previously going to CRMC from the trust fund is now being saved for additional repairs and maintenance that will ultimately be necessary to the building. He added that they do pay an additional \$1,000 a month for the physician office space.

Commissioner Viegbesie said this was one item he had looked at hard and he toured the building on January 26, 2015 and there was a lot of space, 77,000 square feet and only approximately 15,000 square feet were presently being occupied.

Mr. Glazer said the occupied space was around 44,000 or 45,000 square feet.

Commissioner Viegbesie asked if there was anything in the lease that would prohibit the County from allowing other doctors from using the space for a satellite office to prevent citizens from having to drive to Tallahassee. He added that there were physicians interested in coming and paying for retrofit of space if the lease agreement provided for same.

Mr. Glazer said the space was available to lease with conditions: 1) If someone came with a proposal for space, it had to be offered to CRMC first and if they turned it down their consent would still be needed, but then it could be offered to other entities.

Commissioner Viegbesie asked if a doctor used the space that did not have referral capability or did not practice with CRMC and was associated with Tallahassee Memorial Hospital and needed to admit a patient, the patient would be sent to TMH and asked if Mr. Glazer thought CRMC



would give their blessing for that doctor.

Chair Holt said Mr. Glazer was the County Attorney, why did he not argue against that part of the lease.

Mr. Glazer said a lot of points were argued and the BOCC agreed to terms and conditions of the lease.

Commissioner Morgan said if someone approached them with interests of renting space, he was under the impression it could be done, they would go to CRMC, tell them the offer and ask if they wanted to do and if not, BOCC would like to do so. He said they were worrying and discussing something that had not happened yet. He added that he had never been given the impression if they wanted to expand services the hospital would hold the County back.

Commissioner Viegbesie said he had in his possession two packages from different doctors willing to come but the hospital had to give their blessing for them to use it.

Commissioner Morgan said he was asking if it made sense for CRMC to agree for patients to be sent to TMH.

Commissioner Viegbesie said right now all that was at the hospital was an upscale emergency room.

Commissioner Hinson asked if a workshop could be held at the hospital to be able to go through it first then hold a workshop and discuss everything.

Commissioner Morgan responded to the information Commissioner Viegbesie shared and said it was unfair to assume CRMC would not entertain the request without first asking them. He said Mr. Glazer used term “unique” and asked what made him to use that word.

Mr. Glazer said hospitals were now opening off-site emergency departments and they are not allowed to have beds without going through a very extensive process and this was the only facility of its type and added when the lease was negotiated, it was the only facility that in the event the lease ever ended, could be split off and become its own independent hospital and revert back to the County.

Commissioner Morgan said he knew that everyone around the Board wanted the best of medical care and services that could be provided to the citizens.

Commissioner Taylor said in listening to the discussion around the Board, her position is the need for great healthcare and added that CRMC was now under new leadership and thought it was a conversation they needed to have with the CEO.

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

Commissioner Taylor added that she would like to see it go in the direction it was going, they were doing a great job, have saved lives, and had been a place to go in an emergency, there was a need for expansion, but did not want them to get in the quagmire they were in when it closed. It

needed to grow, but to grow smart was important.

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

Commissioner Viegbesie said he hoped no-one felt he meant CRMC was not doing great job but felt what the County had was in-between. He added that the physicians he was in contact with were interested in paying rent and were even looking at space in Havana and they were willing to retrofit and pay rent.

Chair Holt asked the earliest they could hold a workshop.

Commissioner Taylor said she concurred with the workshop and would like to have CRMC there.

Commissioner Hinson said he did not want to rush and they were at the informational stage.

Commissioner Holt said to schedule workshop and invite CRMC to come.

Commissioner Morgan felt better plan to workshop, discuss everything and have Mr. Glazer present to CRMC at a later date.

Craig McMillan appeared before the Board and said whether the hospital board was a part of the process or not, they were there to try to support and lease out and use all space available. He added that it was the hospital board's position to lease out space and asked if BOCC wanted them to continue to be a part of this. He added that he did not see a reason for them to be in existence and he made a recommendation that maybe they should disband GHI because the commissioners were holding discussions with physicians without them. He asked if they wanted GHI involved in the process or not.

Commissioner Taylor said yes.

Mr. McMillan asked Commissioner Viegbesie when he received the proposals; why not submit to GHI or Mike so they could be presented to CRMC.

Commissioner Viegbesie said one was his personal doctor and before he was commissioner, he asked if he was interested in coming to Gadsden County and took him to the Gadsden County Health Department to meet with the director. He said he went back to his doctor and asked if they were interested in coming to the hospital, said they said yes and was interested in retrofitting space there. He added if he had known the County had a hospital board to work through, he would have come to them and he had no problem in bringing them to the hospital board.

Mr. McMillan said if Commissioner Viegbesie was holding two proposals right now, why not forward them on to him or Mr. Glazer.

Commissioner Viegbesie said now that he had a better understanding and knew there was an advisory board; he would refer them to GHI.

Mr. McMillan said he was here to support the BOCC in every manner and was here to support the

people in this County.

A Workshop was scheduled for March 31<sup>st</sup> at 6:00 at the hospital.

**9. FDOT Grant Application Cycles**

Mr. Presnell introduced the above item and said they needed to choose five roads to submit grant applications.

Commissioner Taylor said staff had done due diligence and selected roads from each district.

Commissioner Morgan agreed five from the five districts and assumed Preble-Rish had ranked them.

Mr. Presnell said they had gotten information regarding Pt. Milliken Road and the estimate was in excess of \$2 Million and SCOP was most appropriate and if the board desired to move forward, then do that instead of Hardaway Highway. He added they could apply for two SCOP projects.

**Justin Ford, with Preble Rish**, appeared before the board and explained everything to the Commissioners.

Commissioner Viegbesie said he attends the CRPTA meeting and half of Hardaway Highway was done with LAP and he had no problem replacing Neals Temple Road with Hardaway Highway.

Mr. Ford said the LAP process had changed dramatically in the past year and half with what information they now had to document.

Commissioner Taylor asked about Highbridge Road and Mr. Ford said it was already approved for the DOT program along with Old Federal Road.

Mr. Ford pointed out the list was not a list of every road in the County that needed attention.

Commissioner Taylor made a motion then yielded to Commissioner Viegbesie.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO ADOPT THE ROADS PRESENTED WITH THE REPLACEMENT OF HARDAWAY HIGHWAY WITH PT. MILLIKIN AND NEALS TEMPLE ROAD WITH A ROAD THAT FITS THE FUNDING.**

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE TWO RESOLUTIONS.**

**10. Approval to Confirm Appointment of Emergency Medical Services Director**

Mr. Presnell introduced above item and said it was for confirmation of the employment of Roy C. Phippen as the new Emergency Medical Services Director.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

Commissioner Viegbesie said one thing talked about in Personnel development, some staff was close to retirement and they were fortunate to have a person with his qualifications to step in.

**11. Approval and Signature on the Spring 2015-E911 Rural County Grant Application for MapFLEX 9-1-1 Primary & Backup PSAP Upgrade, Vendor Support and Centurion Maintenance**

Mr. Presnell introduced the above item and said was for approval and signature of the Spring 2015 E911 Rural County Grant application for the MapFLEX 9-1-1 Primary and Backup PSAP Upgrade, Vendor Support and Centurion Maintenance.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**12. Approval and Signature on the Spring E911 Rural County Grant Application for Intrado MapSAG Maintenance**

Mr. Presnell introduced the above item.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**13. Request for Monetary Support for the Relay for Life of Gadsden-American Cancer Society**

Mr. Presnell introduced above item and said was a request for a contribution.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, BEFORE THE VOTE WAS TAKEN COMMISSIONER HINSON ASKED A QUESTION.**

Commissioner Hinson asked if a dollar figure should be included.

Commissioner Morgan said he felt this should be made by personal donations and not use county money for this.

**COMMISSIONER TAYLOR AMENDED HER MOTION TO INCLUDE THAT \$1,000 BE DONATED AND THE SECOND WAS MADE BY COMMISSIONER HINSON. THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER MORGAN OPPOSED.**

**13A Authorization to draft and file a motion for leave to file a brief on behalf of Gretna Racing, LLC in the First District Court of Appeal case of Gretna Racing, LLC v. Department of Business and Professional Racing, Division of Pari-Mutual Wagering**

Mr. Weiss informed the Board this was a request for approval to file a motion and if successful, a brief in support of Gretna Racing, LLC position in the First District Court of Appeal case.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THUIS ITEM.**

**COUNTY ADMINISTRATOR**

**14. Update on Various County Issues**

Mr. Presnell said he had a couple of items:

**Courthouse security order**

There was a meeting scheduled tomorrow with the Sheriff's department. Chief Judge Francis has ordered that anyone who enters the old courthouse be screened for weapons, explosive devices, etc., and would entail closing some of the exits.

Commissioner Morgan said he felt this needed to be discussed, he had read the email and knew the Judge had sent an email, and said they had to follow the Order and asked if they had to follow the Order for security of the whole building or to provide funding for adequate security.

Mr. Weiss said he had not seen the communication.

Commissioner Morgan said his issue was limiting the access to a public building and they had four doors available for access and now would be down to one and they had security screening to go into the courtroom, just not the Courthouse as a whole and would like to study more before action was taken.

Commissioner Viegbesie said when he goes to the Courthouse he had wondered since 9/11 and with every Courthouse he had been to, there was screening no matter how many times a person would exit and enter.

Commissioner Hinson felt they should move quickly and his recommendation was to move as fast as they possibly could.

Commissioner Taylor pointed out the handicapped entrance and that had to be considered as well.

Commissioner Hinson said that had to be created as well and probably tear the whole building down for that.

Mr. Presnell reminded them of the Workshop scheduled for March 31<sup>st</sup> at the Hospital and the Retreat scheduled for April 9<sup>th</sup> at Creek Entertainment, Gretna @ 4:00 p.m.

**COUNTY ATTORNEY**

**15. Update on Various Legal Issues**

Mr. Weiss said he had nothing to report but was available if there were questions.

Commissioner Hinson asked if there had been anything on Havana Heights and said now there was a concrete barrier and posts placed to prevent EMS or anyone else from having access to area.

Commissioner Taylor pointed out that Commissioner Hinson had been talking about this for over a year, they now had a great grant writer and they needed to seek funding and build new complex and give them competition.

**DISCUSSION ITEMS BY COMMISSIONERS**

**16. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**Commissioner Gene Morgan, District 3**

Commissioner Morgan said he had nothing to report.

**Commissioner Anthony “Dr. V” Viegbesie, PhD, District 2**

Dr. V said he had a number of things:

- 1) Saturday early, another house burned in the Greenshade area and did not know what they needed to do to provide closer fire service and has encouraged them to hold community meetings and have a volunteer service in the Dogtown area.
- 2) Asked if there were any programs in the County to provide the reflective numbers for houses to make easier to locate.
- 3) A citizen asked if a road became so dilapidated to citizens who live on a private road what could be done and was asked to present that to the board.

Chair Holt felt it needed to be placed on the agenda.

**Commissioner Sherrie Taylor, District 5**

Commissioner Taylor wanted to recognize the new appointee to the Planning and Zoning and said he was interested in getting into the political atmosphere and his name was Malcolm Carter.

**Commissioner Eric Hinson, Vice Chair, District 1**

Hinson asked if there could a workshop with the Director of parks and recreation to see visioning and goals, that he had travelled all around the county and Scottown had nice area and wanted to see what they were doing and how many grants they were applying for.

He also commended staff, very super as well as the Public Works Department.

**Customer service**

He said he did not like to hear negative things and one person applied for a job and staff was negative to him and he was so distracted he walked off and that particular department should be teaching customer service and maybe the County needed to invest in an outside person to train customer service.

**Youth employment**

He asked that whoever deals with the kids needed to be positive and nice. He said to Mr. Presnell it was “indicative to you, if you keep them around, that’s on you and we’re coming after you.”

**Job description**

He wanted to include the directors’ job description so they could see it.

**Commissioner Brenda Holt, Chair, District 4**

Chair Holt stated she thought directors should be invited to attend FAC in June.

**RECEIPT AND FILE**

**17. a. Gadsden County 2014 Annexation Report**

Holt asked about the annexation report for Quincy at Pat Thomas

**b. Gadsden County Chamber of Commerce-Small Business Services Report-January 2015**

**UPCOMING MEETINGS**

18. April 7, 2015-Regular Meeting  
April 21, 2015-Regular Meeting

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 8:41 P.M.**

**GADSDEN COUNTY, FLORIDA**

---

**BRENDA A. HOLT**  
Chairperson

**ATTEST:**

---

**NICHOLAS THOMAS**  
Clerk



**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON APRIL 7, 2015 AT 6:00 P.M., THE  
FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
Sherrie Taylor, District 5-arrived late  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE**

Chair Holt called the meeting to order at 6:00 p.m., asked everyone to stand for a moment of silence and then led in the Pledge of Allegiance to the U.S. Flag. A silent roll call was conducted by Marcella Blocker, Deputy Clerk.

*Commissioner Viegbesie stepped out just as Chair Holt called the meeting to order.*

**AMENDMENTS AND APPROVAL OF AGENDA**

Mr. Presnell said he would like to pull Item 2 and add Item 15A Proclamation for President Magnum, President of FAMU, which would be in the county on April 16<sup>th</sup> for an event. Commissioner Hinson asked that all the Commissioners names be placed on the Proclamation.

*Commissioner Viegbesie returned at this juncture of the agenda.*

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

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Presentation of Audit**

**Ron Whitesides, Audit Partner, Purvis, Gray & Company**, appeared before the Board and presented the County Annual Audit. He explained there was an increase in revenue of approximately \$8.2 Million from the prior year, total revenues were \$42.4 Million versus \$34.2 in the prior year and the primary driver was more road grant money available in 2014. He said there were also increases in Sales and Shared Revenues of approximately seven to eight percent and the property tax revenue was flat. He said the expenses were held flat and actually decreased approximately \$300,000. He said the County did give raises in 2014 of approximately 2%; the FRS contributions increased and there were some off-setting factors that reduced the increased costs.

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

He said the refundings that were done in 2013 from some of the Bond issues resulted in significant interest savings and the interest expense-\$400,000 in 2014 versus \$800,000 in the

prior year. He said that altogether the County operated at just under an \$8 Million income for the year. He mentioned the Net Position of the County and stated that \$4.8 Million of that was Restricted Funds and meant it was monies on hand for some purpose restricted use. He then stated there was the Unrestricted Funds that were available for any governmental purpose and it was at \$6.7 Million. He mentioned that one thing that would be coming up the next year was a new accounting standard that they were implementing and would cause an additional liability to be recorded on the County's books and was related to the Florida Retirement System and there was a net tension liability related to it.

Chair Holt asked if he had any suggestions to improve things with the County and he said there were as many ways and philosophies to run government as there were governments. Commissioner Holt asked him about the Medicaid obligation for the County and if the House was still laying that out if he had heard and what the increase might be for the County. He responded that he was not sure how that would pan out.

Commissioner Hinson said "last year we were very bold on some projects last year and was able to still keep this in line. We were able to put in \$640,000 toward economic development, we were able to bring in three more Senior Citizen programs in the County, as well as we were able to continue to fund Midway EMS system over there, and we got, I can keep on naming, we also added ten additional jobs to the Summer Youth employment as well. We were able to give a raise, we gave 4% last year, year before that, this year, last year, year before we did 4%, last year we did 2% and was able to fund places like Chattahoochee Main Street and other areas as well as bring in the Boys and Girls Club as well. I think the County really went bold and was, did everything we wanted to do and I really thank this great Board here for taking a bold stance as well as being fiscal responsible to as well."

**2. ~~Presentation of Plans for Lease/Purchase of Building for After School Program~~**

Morris Young, Sheriff  
Item pulled

**CLERK OF COURTS**

**CONSENT**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

**3. Approval of Minutes**

- a. February 3, 2015 Regular Meeting
- b. March 3, 2015 Regular Meeting

**ITEMS PULLED FOR DISCUSSION**

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

**Teran Smith, 3185 Atwater Road, Chattahoochee, FL**, Trespassing and General Topics, Mr. Smith appeared before the Board and said anyone that served the public was a public servant, Judges Doctors, lawyers, etc. and asked for fair, honest and loyal judgment with regard to trespass issues. He said his Mother continued to cry about trespass problems they were having with neighbors and they have taken legal routes. He said there was a Final Judgment on

their property from 2004 and Judge Fitzpatrick over-ruled that and made another finalization. He further explained to situation to the Commissioners regarding their case. He said he wanted to keep the Commissioner abreast of the situation and was going to continue the legal route of fighting for his property.

#### **PUBLIC HEARINGS**

#### **4. PUBLIC HEARING-Regarding Economic Development and the Creation of an Economic Development Grants Program**

Mr. Presnell introduced the above item and said it was for a public hearing regarding the amendment of the Gadsden County Code of Ordinances to create an economic development program to assist in the assessment of qualified applicants and the grant of award monies for the use of economic development incentive funds and to repeal Ordinance 2008-026.

Commissioner Hinson suggested after the Board retreat was out of the way they could then discuss this once they had their goals and visions in place.

Chair Holt said when she asked for this money, she intended it for recruiting businesses to the I-10 interchanges.

Commissioner Viegbesie said he had a couple of questions. He said he read “five new jobs within the first five years” and asked if the new employees had to be residents of Gadsden County and if not what was it not stipulated and that they could come in and hire people from outside the County. He said his other questions was how this body planned on educating the people on the program, its eligibility and the implementation criteria so they were well informed.

Chair Holt stated she agreed with Commissioner Hinson to discuss this at the retreat and hammer out all the questions. She said “I’m not tying this program with the money. I just can’t tie it right now because that’s not what we said. We said, we voted on that day because it was my recommendation, it was my motion to have this set aside the money to encourage businesses on the I-10 corridor. So, I think if we take it and we are going to meet Thursday anyway, to go ahead and have a presentation in the retreat and will have a chance to work these things out. That’s my opinion of it and that’s how I’m ready to vote on now to just table it. But, we, it’s a public hearing and we have to hear from the public on it anyway, even if the presentation is not done.” She asked if anyone in the public had comments and there was no one.

Commissioner Morgan asked that she better explain this item.

Chair Holt explained they were looking at an Economic Development plan that had points tied to it in order to change the ordinance and give incentives for businesses to come to Gadsden County.

Commissioner Taylor agreed that the I-10 corridor needed to be developed and asked the Attorney if he had reviewed the attached Ordinance and asked his opinion.

Mr. Weiss said yes and it was within the perimeters of the law and was a policy level decision

and provided well defined eligibility criteria.

Mr. Presnell suggested they workshop this item.

Commissioner Viegbesie said he felt they were rushing the document.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VEOTED 5-0 BY VOICE VOTE TO WORKSHOP THIS ITEM.**

#### **GENERAL BUSINESS**

**5. Approval of Fuel Services Agreement with FAMU Board of Trustees**

Mr. Presnell introduced the above item and said it was to seek board approval to enter into an Interlocal Agreement with the FAMU Board of Trustees for dispensing of fuel.

Commissioner Taylor made a motion to approve the agreement.

Commissioner Viegbesie said he raised the question before and still did not see any deterrence to delinquency in payments of the fuel.

Mr. Weiss stated the Interlocal Agreement had the Prompt Payment Act incorporated into the Agreement.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGREEMENT.**

**6. Board Direction on the Renewal of the Legal Services Contract for Gadsden County Board of County Commissioners**

Mr. Presnell introduced the above item and stated it was for board direction on whether the Board desired to renew the legal services contract with Ausley and McMullen law firm.

**COMMISSIONER VIEGBESIE MADE A MOTION FOR AN RPF REGARDING THIS ITEM AND SECOND WAS MADE BY CHAIR HOLT. THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE THE RFP. COMMISSIONER MORGAN AND COMMISSIONER TAYLOR OPPOSED.**

**7. Discussion of Right-of-Way Between Highway 90 and Flying J's Travel Center**

Mr. Presnell introduced the above item and stated it was to discuss the possible abandonment, vacation or conveyance of the County right-of-way between U.S. Highway 90 and the Flying J Travel Plaza.

Mr. Weiss explained the strip of property appeared to be a County right-of-way and was, according to the map, was dedicated by the Department of Transportation when they completed the improvements to the U.S. 90 right-of-way and the interchange. He stated as far as he could tell, there had been no deed of conveyance and the County did not own fee simple title to that piece of property, only a dedicated right-of-way and if the County did not own that property, they could not convey it. He said the other option would be to abandon or vacate the right-of-way and there was a process, according to Florida Statutes, on how to do that.

Commissioner Viegbesie asked if they determined that the County owned the property, could the property be offered to Flying J.

Commissioner Morgan said his opinion was they needed to take no action.

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

**Chuck Willis, 481 Peters Road, Midway, FL**, appeared before the Board and stated this had been a task. He said after research; found there was no legal description or survey of the property.

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

Mr. Willis stated after paying for a survey, several letters back and forth between the owner, himself and the realtor, he felt as though he was “thrown under the bus”. He added to make both parties happy, he felt whoever was able to purchase the property, grant them the easement once a title search was done and that would entitle the owner of the property the opportunity to receive the easement to the property.

Mr. Weiss explained when a right-of-way is given, it was effectively a right-of-way to the public until such time it was abandoned or no longer used by the public and unencumbered title would revert back to the prior property owner.

**8. Approval to Award Bid No.: 15-02 for an Animal Cremation Services**

Mr. Presnell introduced above item and said it was for Board approval to award bid number 15-02 for an animal cremation system to B & L Cremation Systems, Inc.

Commissioner Morgan said knew money was budgeted and asked how it impacted from a financial standpoint.

Mr. Presnell explained it would be a one-time purchase of this system and it should last for years. He explained that over the years, it would be a cost-saving to the County.

Commissioner Morgan asked what the on-going costs would be to this system and Mr. Presnell explained that natural gas would be the only costs. Commissioner Morgan stated he agreed with this but wanted to make sure they were not getting themselves into a situation where they had to commit additional dollars every year.

**Clyde Collins, County Building Inspector**, stepped forward to address questions.

Commissioner Viegbesie asked if the \$39,900 included warranty and upkeep and Mr. Collins responded no. Mr. Collins said they would come and train personnel on the use of this.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BE VOICE VOTE TO APPROVE THIS ITEM.**

**9. Quarterly Write-Off of EMS Accounts**

Mr. Presnell introduced above item and said it was for the quarterly write-off of the EMS bad

debt accounts.

Commissioner Taylor said she had a question.

Roy C. Pippen, EMS Director, stepped forward. Commissioner Taylor asked him if the write-off amount was for the year or an accumulation over the years. Mr. Pippen stated it was a quarterly cost.

Commissioner Taylor asked if the \$575,407 was the yearly amount or the quarterly amount and asked what percentage was being collected. Mr. Pippen said he would have to get the numbers and Mr. Presnell stated it was approximately 35% last year. Commissioner Taylor stated she felt if they could send out a bill that was more reasonable, some of the recipients might could pay and felt the bill was extraordinarily high.

Commissioner Hinson asked if they had hired two debt collectors and Mr. Presnell said there had always been one and they hired a different one.

Commissioner Hinson asked if they could still attempt to collect. Mr. Presnell responded this was old debt.

Commissioner Morgan asked that someone that could not pay \$500.00 may not be able to pay \$250.00 and what would that accomplish.

Commissioner Taylor pointed out that they had to put additional funds into the account because their expenses exceeded their revenue.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 TO APPROVE THIS ITEM.**

**10. Approval of the Criteria of the Summer Youth Employment Program 2015**

Mr. Presnell introduced above item and listed criteria students needed to meet in order to participate and said one change was to allow children that had participated in the program before to be eligible to participate again.

Chair Holt stated she was not in favor of that because there were children that needed jobs and would like to see new children participate in the program.

Commissioner Hinson stated he felt they should make it one hundred positions and would only cost an extra \$15,000 to do so.

Commissioner Morgan stated it was not the responsibility of county government to provide jobs for young children and there were so many other needs that should be addressed and felt it was not a good idea to use taxpayer dollars in this manner.

Commissioner Viegbesie asked what was currently budgeted and the Administrator said it was \$85,000 for 85 children.

Commissioner Hinson said the budget had been changed in past for other items and felt this

could be changed also.

Commissioner Taylor stated when Commissioner Hinson first came on board, he was against it, but she was going to support him tonight with the increase to one hundred students.

Mr. Lawson appeared before the Board and explained minimum wage went up January 1<sup>st</sup> and was not anticipated and there were 85 positions available, but now would only be able to fill 80 positions with the budget. He explained that \$85,000 was budgeted but could only employ 80 students with the increase in minimum wage. He added that if they wanted to go to one hundred students, they would need to add enough money to the budget for 20 more students.

Commissioner Morgan said for the benefit of the public, when they were looking at an agenda item under Fiscal Impact, it should be easy to understand what the impact of tax dollars was going to be, but when he looked at this, it did not tell the public what it was costing as to their tax dollars.

Commissioner Holt said she was in favor of the increase, and felt it was not a problem to do one hundred children.

Mr. Weiss asked if would require a budget amendment and Mr. Presnell said no, it could be done with an internal budget amendment.

Mr. Weiss pointed out the item was noticed for approval of criteria.

Chair Holt said they needed to get the positions out of the way and if they approved the one hundred positions, then they could come back with the budget item, but approve the positions first.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE ONE HUNDRED SUMMER POSITIONS FOR THE SUMMER YOUTH EMPLOYMENT. COMMISSIONER MORGAN OPPOSED.**

**11. Approval to Authorize Expenditure of the Courthouse Facilities Reserve for Related Necessary Improvements at the Guy Race Courthouse Annex and Offices of the Public Defender and Approve all Related Contracts and Agreement**

Mr. Presnell introduced above item and said it was for approval of the architect's prepared budget and authorization of signature for the contracts for the renovation of the Public Defender's Office at the Guy Race Courthouse Annex.

Chair Holt asked if the Board had approved him to be the architect for this project, if it had been bid out.

Clyde Collins appeared before the Board and stated that the architect had not been bid out, that the architect had been on board with the County the past ten years.

Chair Holt asked the amount of the contract and Mr. Collins responded it was \$16,500.00.

Commissioner Taylor stated the Public Defender's Office had her support and then said there



was a mandate set upon the Board by the Chief Judge for security at Courthouse and wanted to make sure funds were not depleted on this item.

Mr. Presnell responded he had met with the Court Administrator and staff regarding this and they were on Board to spend this money for the renovations and the Courthouse security was moving forward and would start on the morning of the 20<sup>th</sup>. He also pointed out that the collection amounts would remain approximately \$21,000.00 monthly.

Commissioner Viegbesie had a suggestion for job creation and said when they would issue fees on projects such as this, if it would be appropriate for them to specify that some of the sub-contractors had to be offered to locals.

Mr. Weiss said they could have provisions in their Procurement Policy and changes were provided to add for additional points for having the local preference policy, but the Board did not make those changes to the procurement policy.

Chair Holt suggested the Procurement Policy be placed on the next Agenda.

**MOTION WAS MADE BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE TO APPROVE THIS ITEM. BEFORE THE VOTE WAS TAKEN, COMMISSIONER MORGAN HAD QUESTIONS.**

Commissioner Morgan said he had no problem with the improvements, but did not want to get into a situation where the funds were depleted.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**12. Approval of Signature(s) for Satisfaction of Special Assessment Lien(s) State Housing Initiative Partnership "SHIP" Program**

Mr. Presnell introduced the above item.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**13. Approval of Signatures for Special Assessment Liens and Rehabilitation Contract-SHIP Program**

Mr. Presnell introduced the above item.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**14. Johnson William; Parcel ID No. 3212N3W000004210200, Code Enforcement**

Mr. Presnell introduced the above item and stated it was for clarification and explained at the last meeting, it was awarded to Johnny B. Stone, but in essence, Barnes Equipment Company was the lowest bidder and this was to clarify that Barnes Equipment Company was the low bid and was awarded the bid.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE**

**BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**15. Countywide Striping-Professional Services**

Mr. Presnell introduced the above item and said it was for approval to execute a Task Order with Preble-Rish, Inc. for the construction engineering and inspection services for the Countywide striping project.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**15A Added Proclamation**

Mr. Presnell stated this was an item he added and stated the President of Florida A & M University, President Magnum, would be in the County on June 19<sup>th</sup> and asked that the Board approve a Proclamation to be presented to her at that time.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY CHAIR HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**COUNTY ADMINISTRATOR**

**16. Update on Various Board Requests**

**CDBG Grants**

Mr. Presnell asked to be able to pursue grants for affordable housing.

Commissioner Hinson suggested they wait until the retreat to discuss that matter.

Commissioner Taylor said she would rather entertain that after the Administrator did research.

Commissioner Hinson stated he was interested in trying to get a CDBG grant for a community center, especially on the east side of town.

Mr. Presnell said he had issued a letter regarding the Stevens School and the insurance and the lessee may vacate the building.

He stated the Florida Competitive Program was going very well and the first two requirements had been met.

He stated the Bike Race was turning into a large event.

He informed the Commissioners the Retreat at Creek Entertainment was scheduled for Thursday, April 9<sup>th</sup> at 4:00 p.m.

**Audit**

He stated everyone had done an excellent job in reducing debt.

Commissioner Morgan asked about their revising the purchasing threshold and if there had been any negative impacts. Mr. Presnell stated there had been problems at the hospital and they were working on bids to bring before the Board. Commissioner Morgan encouraged the

Board to go back to the levels they previously had.

Commissioner Taylor said she hoped it would be agendaed for a more reasonable amount to be discussed.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 2-3 BY VOICE VOTE. COMMISSIONER HINSON, COMMISSIONER VIEGBESIE AND CHAIR HOLT OPPOSED. MOTION FAILED.**

#### **COUNTY ATTORNEY**

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

Mr. Weiss reported that the County's Motion to file an Amicus brief with regards to Gretna Racing vs. Department of Business and Professional Regulation was granted and was filed.

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

##### **18. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

###### **COMMISSIONER SHERRIE TAYLOR, District 5**

Commissioner Taylor stated that the threshold of \$5,000 was too low and in the event the County was sued, she wanted to go on record that they were putting themselves in jeopardy with such a low threshold.

She asked about the timeframe for work to be done on Hogan Lane and Mr. Presnell stated it was currently in the design phase and the grant money had been awarded, but there was additional work that needed to be done, ditch work, etc. that the grant would not cover and they needed to wait until they received the Bond money and take care of it at one time.

###### **COMMISSIONER ERIC HINSON, Vice Chair, District 1**

Commissioner Hinson nothing to report.

###### **COMMISSIONER GENE MORGAN, District 3**

Commissioner Morgan stated the only item he had tonight; one of the items approved earlier tonight was to bid the attorney services contract and asked if it included the hospital attorney as well. Mr. Presnell stated yes, it included all legal services. Commissioner Morgan said he hoped the Board would take that into consideration because that was a valuable asset having Mr. Glazer expertise with regard to the hospital.

###### **COMMISSIONER BRENDA HOLT, Chairperson, District 4**

Chair Holt asked the date of the bicycle race and Mr. Presnell stated it was scheduled for Saturday, May 23<sup>rd</sup> in town and in the country on Sunday the 24<sup>th</sup>. She asked that the commissioners support the event.

She said that she reminded a couple of people that Emergency Management really belonged to the BOCC.

Commissioner Hinson pointed out if there was an emergency that happened, the Governor

called Chair of the Commission, not the Sheriff.

**COMMISSIONER ANTHONY "DR. V" VIEGBESIE, PhD, District 2**

Commissioner Viegbesie said he really did not have anything to say, but asked if he could follow-up regarding Commissioner Morgan's comments and asked if the two attorneys worked with different firms and Mr. Presnell stated no. Mr. Presnell explained the Hospital technically did not have an attorney.

He then said he was very amazed to know that the scope of the sunshine law application also pertained to advisory boards, committees and board members and they needed to be well educated with regard to the Sunshine law and how to discuss issues they addressed. He suggested that the Commission educate volunteers with regard to the law.

Commissioner Hinson suggested having a workshop with Emergency Management.

**RECEIPT AND FILE**

**19. DEO-Comprehensive Plan Amendments**

**UPCOMING MEETINGS**

20. April 21, 2015-Regular Meeting  
May 5, 2015-Regular Meeting

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED.**

**GADSDEN COUNTY, FLORIDA**

---

**BRENDA A. HOLT, 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 APRIL 7, 2015 AT 6:00 P.M., THE  
FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
Sherrie Taylor, District 5-arrived late  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE**

Chair Holt called the meeting to order at 6:00 p.m., asked everyone to stand for a moment of silence and then led in the Pledge of Allegiance to the U.S. Flag. A silent roll call was conducted by Marcella Blocker, Deputy Clerk.

*Commissioner Viegbesie stepped out just as Chair Holt called the meeting to order.*

**AMENDMENTS AND APPROVAL OF AGENDA**

Mr. Presnell said he would like to pull Item 2 and add Item 15A Proclamation for President Magnum, President of FAMU, which would be in the county on April 16<sup>th</sup> for an event. Commissioner Hinson asked that all the Commissioners names be placed on the Proclamation.

*Commissioner Viegbesie returned at this juncture of the agenda.*

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

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Presentation of Audit**

**Ron Whitesides, Audit Partner, Purvis, Gray & Company**, appeared before the Board and presented the County Annual Audit. He explained there was an increase in revenue of approximately \$8.2 Million from the prior year, total revenues were \$42.4 Million versus \$34.2 in the prior year and the primary driver was more road grant money available in 2014. He said there were also increases in Sales and Shared Revenues of approximately seven to eight percent and the property tax revenue was flat. He said the expenses were held flat and actually decreased approximately \$300,000. He said the County did give raises in 2014 of approximately 2%; the FRS contributions increased and there were some off-setting factors that reduced the increased costs.

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

He said the refundings that were done in 2013 from some of the Bond issues resulted in significant interest savings and the interest expense-\$400,000 in 2014 versus \$800,000 in the

prior year. He said that altogether the County operated at just under an \$8 Million income for the year. He mentioned the Net Position of the County and stated that \$4.8 Million of that was Restricted Funds and meant it was monies on hand for some purpose restricted use. He then stated there was the Unrestricted Funds that were available for any governmental purpose and it was at \$6.7 Million. He mentioned that one thing that would be coming up the next year was a new accounting standard that they were implementing and would cause an additional liability to be recorded on the County's books and was related to the Florida Retirement System and there was a net tension liability related to it.

Chair Holt asked if he had any suggestions to improve things with the County and he said there were as many ways and philosophies to run government as there were governments. Commissioner Holt asked him about the Medicaid obligation for the County and if the House was still laying that out if he had heard and what the increase might be for the County. He responded that he was not sure how that would pan out.

Commissioner Hinson said "last year we were very bold on some projects last year and was able to still keep this in line. We were able to put in \$640,000 toward economic development, we were able to bring in three more Senior Citizen programs in the County, as well as we were able to continue to fund Midway EMS system over there, and we got, I can keep on naming, we also added ten additional jobs to the Summer Youth employment as well. We were able to give a raise, we gave 4% last year, year before that, this year, last year, year before we did 4%, last year we did 2% and was able to fund places like Chattahoochee Main Street and other areas as well as bring in the Boys and Girls Club as well. I think the County really went bold and was, did everything we wanted to do and I really thank this great Board here for taking a bold stance as well as being fiscal responsible to as well."

**2. ~~Presentation of Plans for Lease/Purchase of Building for After School Program~~**

Morris Young, Sheriff  
Item pulled

**CLERK OF COURTS**

**CONSENT**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

**3. Approval of Minutes**

- a. February 3, 2015 Regular Meeting
- b. March 3, 2015 Regular Meeting

**ITEMS PULLED FOR DISCUSSION**

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

**Teran Smith, 3185 Atwater Road, Chattahoochee, FL**, Trespassing and General Topics, Mr. Smith appeared before the Board and said anyone that served the public was a public servant, Judges Doctors, lawyers, etc. and asked for fair, honest and loyal judgment with regard to trespass issues. He said his Mother continued to cry about trespass problems they were having with neighbors and they have taken legal routes. He said there was a Final Judgment on

their property from 2004 and Judge Fitzpatrick over-ruled that and made another finalization. He further explained to situation to the Commissioners regarding their case. He said he wanted to keep the Commissioner abreast of the situation and was going to continue the legal route of fighting for his property.

#### **PUBLIC HEARINGS**

##### **4. PUBLIC HEARING-Regarding Economic Development and the Creation of an Economic Development Grants Program**

Mr. Presnell introduced the above item and said it was for a public hearing regarding the amendment of the Gadsden County Code of Ordinances to create an economic development program to assist in the assessment of qualified applicants and the grant of award monies for the use of economic development incentive funds and to repeal Ordinance 2008-026.

Commissioner Hinson suggested after the Board retreat was out of the way they could then discuss this once they had their goals and visions in place.

Chair Holt said when she asked for this money, she intended it for recruiting businesses to the I-10 interchanges.

Commissioner Viegbesie said he had a couple of questions. He said he read “five new jobs within the first five years” and asked if the new employees had to be residents of Gadsden County and if not what was it not stipulated and that they could come in and hire people from outside the County. He said his other questions was how this body planned on educating the people on the program, its eligibility and the implementation criteria so they were well informed.

Chair Holt stated she agreed with Commissioner Hinson to discuss this at the retreat and hammer out all the questions. She said “I’m not tying this program with the money. I just can’t tie it right now because that’s not what we said. We said, we voted on that day because it was my recommendation, it was my motion to have this set aside the money to encourage businesses on the I-10 corridor. So, I think if we take it and we are going to meet Thursday anyway, to go ahead and have a presentation in the retreat and will have a chance to work these things out. That’s my opinion of it and that’s how I’m ready to vote on now to just table it. But, we, it’s a public hearing and we have to hear from the public on it anyway, even if the presentation is not done.” She asked if anyone in the public had comments and there was no one.

Commissioner Morgan asked that she better explain this item.

Chair Holt explained they were looking at an Economic Development plan that had points tied to it in order to change the ordinance and give incentives for businesses to come to Gadsden County.

Commissioner Taylor agreed that the I-10 corridor needed to be developed and asked the Attorney if he had reviewed the attached Ordinance and asked his opinion.

Mr. Weiss said yes and it was within the perimeters of the law and was a policy level decision



and provided well defined eligibility criteria.

Mr. Presnell suggested they workshop this item.

Commissioner Viegbesie said he felt they were rushing the document.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VEOTED 5-0 BY VOICE VOTE TO WORKSHOP THIS ITEM.**

#### **GENERAL BUSINESS**

**5. Approval of Fuel Services Agreement with FAMU Board of Trustees**

Mr. Presnell introduced the above item and said it was to seek board approval to enter into an Interlocal Agreement with the FAMU Board of Trustees for dispensing of fuel.

Commissioner Taylor made a motion to approve the agreement.

Commissioner Viegbesie said he raised the question before and still did not see any deterrence to delinquency in payments of the fuel.

Mr. Weiss stated the Interlocal Agreement had the Prompt Payment Act incorporated into the Agreement.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGREEMENT.**

**6. Board Direction on the Renewal of the Legal Services Contract for Gadsden County Board of County Commissioners**

Mr. Presnell introduced the above item and stated it was for board direction on whether the Board desired to renew the legal services contract with Ausley and McMullen law firm.

**COMMISSIONER VIEGBESIE MADE A MOTION FOR AN RPF REGARDING THIS ITEM AND SECOND WAS MADE BY CHAIR HOLT. THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE THE RFP. COMMISSIONER MORGAN AND COMMISSIONER TAYLOR OPPOSED.**

**7. Discussion of Right-of-Way Between Highway 90 and Flying J's Travel Center**

Mr. Presnell introduced the above item and stated it was to discuss the possible abandonment, vacation or conveyance of the County right-of-way between U.S. Highway 90 and the Flying J Travel Plaza.

Mr. Weiss explained the strip of property appeared to be a County right-of-way and was, according to the map, was dedicated by the Department of Transportation when they completed the improvements to the U.S. 90 right-of-way and the interchange. He stated as far as he could tell, there had been no deed of conveyance and the County did not own fee simple title to that piece of property, only a dedicated right-of-way and if the County did not own that property, they could not convey it. He said the other option would be to abandon or vacate the right-of-way and there was a process, according to Florida Statutes, on how to do that.

Commissioner Viegbesie asked if they determined that the County owned the property, could the property be offered to Flying J.

Commissioner Morgan said his opinion was they needed to take no action.

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

**Chuck Willis, 481 Peters Road, Midway, FL**, appeared before the Board and stated this had been a task. He said after research; found there was no legal description or survey of the property.

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

Mr. Willis stated after paying for a survey, several letters back and forth between the owner, himself and the realtor, he felt as though he was “thrown under the bus”. He added to make both parties happy, he felt whoever was able to purchase the property, grant them the easement once a title search was done and that would entitle the owner of the property the opportunity to receive the easement to the property.

Mr. Weiss explained when a right-of-way is given, it was effectively a right-of-way to the public until such time it was abandoned or no longer used by the public and unencumbered title would revert back to the prior property owner.

**8. Approval to Award Bid No.: 15-02 for an Animal Cremation Services**

Mr. Presnell introduced above item and said it was for Board approval to award bid number 15-02 for an animal cremation system to B & L Cremation Systems, Inc.

Commissioner Morgan said knew money was budgeted and asked how it impacted from a financial standpoint.

Mr. Presnell explained it would be a one-time purchase of this system and it should last for years. He explained that over the years, it would be a cost-saving to the County.

Commissioner Morgan asked what the on-going costs would be to this system and Mr. Presnell explained that natural gas would be the only costs. Commissioner Morgan stated he agreed with this but wanted to make sure they were not getting themselves into a situation where they had to commit additional dollars every year.

**Clyde Collins, County Building Inspector**, stepped forward to address questions.

Commissioner Viegbesie asked if the \$39,900 included warranty and upkeep and Mr. Collins responded no. Mr. Collins said they would come and train personnel on the use of this.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BE VOICE VOTE TO APPROVE THIS ITEM.**

**9. Quarterly Write-Off of EMS Accounts**

Mr. Presnell introduced above item and said it was for the quarterly write-off of the EMS bad

debt accounts.

Commissioner Taylor said she had a question.

Roy C. Pippen, EMS Director, stepped forward. Commissioner Taylor asked him if the write-off amount was for the year or an accumulation over the years. Mr. Pippen stated it was a quarterly cost.

Commissioner Taylor asked if the \$575,407 was the yearly amount or the quarterly amount and asked what percentage was being collected. Mr. Pippen said he would have to get the numbers and Mr. Presnell stated it was approximately 35% last year. Commissioner Taylor stated she felt if they could send out a bill that was more reasonable, some of the recipients might could pay and felt the bill was extraordinarily high.

Commissioner Hinson asked if they had hired two debt collectors and Mr. Presnell said there had always been one and they hired a different one.

Commissioner Hinson asked if they could still attempt to collect. Mr. Presnell responded this was old debt.

Commissioner Morgan asked that someone that could not pay \$500.00 may not be able to pay \$250.00 and what would that accomplish.

Commissioner Taylor pointed out that they had to put additional funds into the account because their expenses exceeded their revenue.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 TO APPROVE THIS ITEM.**

**10. Approval of the Criteria of the Summer Youth Employment Program 2015**

Mr. Presnell introduced above item and listed criteria students needed to meet in order to participate and said one change was to allow children that had participated in the program before to be eligible to participate again.

Chair Holt stated she was not in favor of that because there were children that needed jobs and would like to see new children participate in the program.

Commissioner Hinson stated he felt they should make it one hundred positions and would only cost an extra \$15,000 to do so.

Commissioner Morgan stated it was not the responsibility of county government to provide jobs for young children and there were so many other needs that should be addressed and felt it was not a good idea to use taxpayer dollars in this manner.

Commissioner Viegbesie asked what was currently budgeted and the Administrator said it was \$85,000 for 85 children.

Commissioner Hinson said the budget had been changed in past for other items and felt this

could be changed also.

Commissioner Taylor stated when Commissioner Hinson first came on board, he was against it, but she was going to support him tonight with the increase to one hundred students.

Mr. Lawson appeared before the Board and explained minimum wage went up January 1<sup>st</sup> and was not anticipated and there were 85 positions available, but now would only be able to fill 80 positions with the budget. He explained that \$85,000 was budgeted but could only employ 80 students with the increase in minimum wage. He added that if they wanted to go to one hundred students, they would need to add enough money to the budget for 20 more students.

Commissioner Morgan said for the benefit of the public, when they were looking at an agenda item under Fiscal Impact, it should be easy to understand what the impact of tax dollars was going to be, but when he looked at this, it did not tell the public what it was costing as to their tax dollars.

Commissioner Holt said she was in favor of the increase, and felt it was not a problem to do one hundred children.

Mr. Weiss asked if would require a budget amendment and Mr. Presnell said no, it could be done with an internal budget amendment.

Mr. Weiss pointed out the item was noticed for approval of criteria.

Chair Holt said they needed to get the positions out of the way and if they approved the one hundred positions, then they could come back with the budget item, but approve the positions first.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE ONE HUNDRED SUMMER POSITIONS FOR THE SUMMER YOUTH EMPLOYMENT. COMMISSIONER MORGAN OPPOSED.**

**11. Approval to Authorize Expenditure of the Courthouse Facilities Reserve for Related Necessary Improvements at the Guy Race Courthouse Annex and Offices of the Public Defender and Approve all Related Contracts and Agreement**

Mr. Presnell introduced above item and said it was for approval of the architect's prepared budget and authorization of signature for the contracts for the renovation of the Public Defender's Office at the Guy Race Courthouse Annex.

Chair Holt asked if the Board had approved him to be the architect for this project, if it had been bid out.

Clyde Collins appeared before the Board and stated that the architect had not been bid out, that the architect had been on board with the County the past ten years.

Chair Holt asked the amount of the contract and Mr. Collins responded it was \$16,500.00.

Commissioner Taylor stated the Public Defender's Office had her support and then said there

was a mandate set upon the Board by the Chief Judge for security at Courthouse and wanted to make sure funds were not depleted on this item.

Mr. Presnell responded he had met with the Court Administrator and staff regarding this and they were on Board to spend this money for the renovations and the Courthouse security was moving forward and would start on the morning of the 20<sup>th</sup>. He also pointed out that the collection amounts would remain approximately \$21,000.00 monthly.

Commissioner Viegbesie had a suggestion for job creation and said when they would issue fees on projects such as this, if it would be appropriate for them to specify that some of the sub-contractors had to be offered to locals.

Mr. Weiss said they could have provisions in their Procurement Policy and changes were provided to add for additional points for having the local preference policy, but the Board did not make those changes to the procurement policy.

Chair Holt suggested the Procurement Policy be placed on the next Agenda.

**MOTION WAS MADE BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE TO APPROVE THIS ITEM. BEFORE THE VOTE WAS TAKEN, COMMISSIONER MORGAN HAD QUESTIONS.**

Commissioner Morgan said he had no problem with the improvements, but did not want to get into a situation where the funds were depleted.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**12. Approval of Signature(s) for Satisfaction of Special Assessment Lien(s) State Housing Initiative Partnership "SHIP" Program**

Mr. Presnell introduced the above item.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**13. Approval of Signatures for Special Assessment Liens and Rehabilitation Contract-SHIP Program**

Mr. Presnell introduced the above item.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**14. Johnson William; Parcel ID No. 3212N3W000004210200, Code Enforcement**

Mr. Presnell introduced the above item and stated it was for clarification and explained at the last meeting, it was awarded to Johnny B. Stone, but in essence, Barnes Equipment Company was the lowest bidder and this was to clarify that Barnes Equipment Company was the low bid and was awarded the bid.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE**

**BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**15. Countywide Striping-Professional Services**

Mr. Presnell introduced the above item and said it was for approval to execute a Task Order with Preble-Rish, Inc. for the construction engineering and inspection services for the Countywide striping project.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**15A Added Proclamation**

Mr. Presnell stated this was an item he added and stated the President of Florida A & M University, President Magnum, would be in the County on June 19<sup>th</sup> and asked that the Board approve a Proclamation to be presented to her at that time.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY CHAIR HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**COUNTY ADMINISTRATOR**

**16. Update on Various Board Requests**

**CDBG Grants**

Mr. Presnell asked to be able to pursue grants for affordable housing.

Commissioner Hinson suggested they wait until the retreat to discuss that matter.

Commissioner Taylor said she would rather entertain that after the Administrator did research.

Commissioner Hinson stated he was interested in trying to get a CDBG grant for a community center, especially on the east side of town.

Mr. Presnell said he had issued a letter regarding the Stevens School and the insurance and the lessee may vacate the building.

He stated the Florida Competitive Program was going very well and the first two requirements had been met.

He stated the Bike Race was turning into a large event.

He informed the Commissioners the Retreat at Creek Entertainment was scheduled for Thursday, April 9<sup>th</sup> at 4:00 p.m.

**Audit**

He stated everyone had done an excellent job in reducing debt.

Commissioner Morgan asked about their revising the purchasing threshold and if there had been any negative impacts. Mr. Presnell stated there had been problems at the hospital and they were working on bids to bring before the Board. Commissioner Morgan encouraged the

Board to go back to the levels they previously had.

Commissioner Taylor said she hoped it would be agendaed for a more reasonable amount to be discussed.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 2-3 BY VOICE VOTE. COMMISSIONER HINSON, COMMISSIONER VIEGBESIE AND CHAIR HOLT OPPOSED. MOTION FAILED.**

#### **COUNTY ATTORNEY**

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

Mr. Weiss reported that the County's Motion to file an Amicus brief with regards to Gretna Racing vs. Department of Business and Professional Regulation was granted and was filed.

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

##### **18. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

###### **COMMISSIONER SHERRIE TAYLOR, District 5**

Commissioner Taylor stated that the threshold of \$5,000 was too low and in the event the County was sued, she wanted to go on record that they were putting themselves in jeopardy with such a low threshold.

She asked about the timeframe for work to be done on Hogan Lane and Mr. Presnell stated it was currently in the design phase and the grant money had been awarded, but there was additional work that needed to be done, ditch work, etc. that the grant would not cover and they needed to wait until they received the Bond money and take care of it at one time.

###### **COMMISSIONER ERIC HINSON, Vice Chair, District 1**

Commissioner Hinson nothing to report.

###### **COMMISSIONER GENE MORGAN, District 3**

Commissioner Morgan stated the only item he had tonight; one of the items approved earlier tonight was to bid the attorney services contract and asked if it included the hospital attorney as well. Mr. Presnell stated yes, it included all legal services. Commissioner Morgan said he hoped the Board would take that into consideration because that was a valuable asset having Mr. Glazer expertise with regard to the hospital.

###### **COMMISSIONER BRENDA HOLT, Chairperson, District 4**

Chair Holt asked the date of the bicycle race and Mr. Presnell stated it was scheduled for Saturday, May 23<sup>rd</sup> in town and in the country on Sunday the 24<sup>th</sup>. She asked that the commissioners support the event.

She said that she reminded a couple of people that Emergency Management really belonged to the BOCC.

Commissioner Hinson pointed out if there was an emergency that happened, the Governor



called Chair of the Commission, not the Sheriff.

**COMMISSIONER ANTHONY "DR. V" VIEGBESIE, PhD, District 2**

Commissioner Viegbesie said he really did not have anything to say, but asked if he could follow-up regarding Commissioner Morgan's comments and asked if the two attorneys worked with different firms and Mr. Presnell stated no. Mr. Presnell explained the Hospital technically did not have an attorney.

He then said he was very amazed to know that the scope of the sunshine law application also pertained to advisory boards, committees and board members and they needed to be well educated with regard to the Sunshine law and how to discuss issues they addressed. He suggested that the Commission educate volunteers with regard to the law.

Commissioner Hinson suggested having a workshop with Emergency Management.

**RECEIPT AND FILE**

**19. DEO-Comprehensive Plan Amendments**

**UPCOMING MEETINGS**

20. April 21, 2015-Regular Meeting  
May 5, 2015-Regular Meeting

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED.**

**GADSDEN COUNTY, FLORIDA**

---

**BRENDA A. HOLT, 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 APRIL 21, 2015, AT 6:00 P.M.,  
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1-arrived late  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
Sherrie Taylor, District 5  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Chair Holt called the meeting to order at 6:00 p.m., asked everyone to silence their phones, asked for a moment of silence and then led in the Pledge of Allegiance to the U.S. Flag. A silent roll call was taken by Deputy Clerk, Marcella Blocker.

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Holt asked if there were any amendments to the Agenda. Mr. Presnell stated he would like to move Item 1 to Item 4A.

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

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. ~~Proclamation – Water Conservation Month~~**

Moved to Item 4A

**2. Gadsden Arts Centers Programs and Operations for 2014**

**Angie Berry, Curator from the Gadsden Arts Center**, appeared before the Board and gave an update of their operations for 2014.

**CLERK OF COURTS**

Mr. Thomas was not present and there was nothing to report.

**CONSENT**

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

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

**3. Proclamation – National County Government Month**

**4. Approval of Minutes**

February 17, 2015 Regular Board Meeting

**4A. Proclamation - Water Conservation Month**

**ITEMS PULLED FOR DISCUSSION**

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

**Willie Scott, 26 Shaw Lane, Quincy, FL**-The Scotttown Park. Mr. Scott appeared before the Board to inform them they had been working on the park and asked the County to clean up the overgrown trees to enable them to keep the park mowed. He also asked for a sign for the park.

**Wilbert Butler, 264 Career Avenue, Havana, FL 32333** Aquaponics Program, appeared before the Board and said he represented the Havana Community Development Corporation. He had a PowerPoint presentation to show the Board concerning the aquaponics program he has in Havana. He said he was submitting a proposal to be placed on the budgeting process.

**Kara Palmer, 1140 West Clark Street, Quincy, FL**, CareerSource Capital Region, 2015 Gadsden County Job Fair, appeared before the Board and thanked them for being a partner in the upcoming job fair that will be held.

Commissioner Hinson asked if the shuttle service could assist in transporting people from Havana to the job fair. He also asked the Commissioners to ask businesses in their districts to take part in this.

**PUBLIC HEARINGS**

**5. PUBLIC HEARING-Board Approval of Bank United's/Pinnacle Finance Loan Proposal and Ordinance to Refund the Balance of the County's \$3,850,628 2013 Gas Tax Loan and Provide an Additional \$6.4 Million of New Money**

Mr. Presnell introduced the above item and said this was for Board approval of Bank United/Pinnacle Public Finance's loan proposal to refund the current balance of the County's transportation loan for roads and provide an additional \$6.4 Million for road work.

Chair Holt asked if anyone in the audience wished to speak and there was no-one.

Commissioner Viegbesie asked if this money was exclusive for transportation projects or could it be used for anything.

**Jason Breth, Esquire, Bryant, Miller and Olive**, appeared before the Board and said their firm was Bond Council for the County and by statute the pledged revenues for the Bond was limited by statute for transportation purposes and was limited to be used for the roads.

**UPON MOTION BY COMMISSION HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**6. PUBLIC HEARING-Adoption of Ordinance No. 2015-005, An Ordinance of the Board of County Commissioners of Gadsden County, Florida, Amending the Economic Development Ad**

**Valorem Tax Exemption Ordinance of Gadsden County, Florida, Ordinance No. 2012-003, currently codified at Chapter 74, Article I, Section 5 of the Gadsden County Code or Ordinances, to provide for application throughout the unincorporated and incorporated areas of the County; providing for repeal, severability, inclusion and renumbering in the Gadsden County Code, and modifications that may arise from consideration at public hearing; and providing for an effective date**

Mr. Presnell introduced the above item and then deferred to the County Attorney to explain.

Mr. Weiss said this Ordinance would amend the Economic Development Ad Valorem Tax Exemption Ordinance and the only amendment was for applications throughout the unincorporated and incorporated areas of the County. He further explained this would allow them to give tax exemptions to new businesses or existing businesses if they meet certain criteria.

Chair Holt asked if anyone in the audience wished to speak.

**Beth Kirkland, Gadsden County Development Council**, and said the Development Council was in favor of this item.

Commissioner Taylor asked about the “incorporated areas” and the local municipalities and where they stood in regard to this ordinance.

Mr. Presnell stated they were in favor of this and was one reason it was being pursued and would be a recruitment tool that could be used.

Commissioner Viegbesie asked if this could be used for personal property that had a home based business in the home. Mr. Weiss explained there was certain criteria that had to be met to be eligible for this.

Commissioner Hinson said he agreed with this but they needed to make sure they were financially able to cut taxes before going forward with this.

Chair Holt said they could have this in place in case they were stable enough to exercise it and they were not talking about reducing the tax, this would provide for a reduction in the added value of property.

Commissioner Morgan asked the attorney if they were talking about amending an existing ordinance and Mr. Weiss said yes. Commissioner Morgan then asked if this would go to the citizens in the form of a referendum and Mr. Weiss said yes. He then asked Mr. Presnell if they had looked at potential growth and if this had been discussed with the City Boards and Mr. Presnell said no.

Mr. Presnell also pointed out this was a case by case basis and would have to come before the Board to be approved.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER MORGAN OPPOSED.**

**GENERAL BUSINESS**

**7. Update On County Parks and Boat Ramps**

Mr. Presnell introduced the above item and said it was an update regarding the County parks.

Clyde Collins appeared before the Board and said there were currently ten passive parks and four County boat ramps, three that the County owns. He added that Rosedale was one of the parks they were going to renovate along with the Chattahoochee boat ramp and the Pat Thomas Park boat ramp. He said an application had been done for Scottown park and felt they would receive funding for that as well. He gave a list of the parks and what was there.

Commissioner Hinson said the parks was one of his “pet peeves” and pointed out District 1 was one of the largest districts and had the smallest park. He would like to secure another area for a park in his district. He asked the advantage of someone donating property to the County for a park and what the County was doing to obtain funds.

Mr. Presnell said each year the County applies for FRDAP grants for parks and donated property would be ideal.

Commissioner Morgan asked how they monitored people that used the parks.

Mr. Presnell said other than Pat Thomas Park that was gated and money had to be paid, they did not monitor them.

Commissioner Viegbesie asked if there was an ordinance to prohibit alcohol in parks and Mr. Presnell and Mr. Collins responded it was prohibited by ordinance. Commissioner Viegbesie asked if a sign could be placed that spelled out the do’s and don’ts and Mr. Collins said there should be a Code of Conduct sign at all of the parks. Commissioner Viegbesie suggested Mr. Collins be made Director of Parks and that someone be placed in charge of activities at the parks and asked that to be looked at during the budget season.

Commissioner Taylor said FRDAP grant was limited and while discussing the budget, she would like to put real dollars in the budget and was interested in exploring this matter.

Mr. Presnell pointed out the amount of money currently in the budget for parks.

**John Maklin** appeared before the Board and stated if they could spend \$1.5 Million on roads they could use some of the money that was left over and build a park with that money. Commissioner Viegbesie pointed out road money was restricted funds.

**8. Approval To Sell Surplus Tractor To City Of Quincy**

Mr. Presnell introduced the above item and stated the City Manager of the City of Quincy had requested the County sell them a surplus tractor for \$9,999.00.

Commissioner Taylor asked if this had been surplus and if the value was fair.

**COMMISSIONER TAYLOR MADE A MOTION FOR APPROVAL AND THERE WAS A SECOND BY**

**COMMISSIONER HINSON. BEFORE THE VOTE WAS TAKEN, THERE WAS DISCUSSION.**

There was discussion around the Board regarding adding an additional \$1.00 for a total of \$10,000.

Commissioner Morgan said there may be a reason it was priced the way it was because of their purchasing policy and asked that it be left as it was presented on the agenda.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**9. Approval Of Local Agency Program (LAP) Contracts For Atlanta Street**

Mr. Presnell introduced the above item and stated it was for approval of and authorization to sign the Local Agency Program contract for acceptance of State of Florida funding for the design of the Atlanta Street sidewalk project.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY CHAIR HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**10. Approval of the Criteria of the Summer Youth Employment Program 2015**

Mr. Presnell introduced the above item and said it was for Board approval of criteria to be set for youth that participate in the Summer Youth Employment Program.

Commissioner Hinson asked that they employ mentally handicapped kids and that no age bracket be placed for those. Commissioner Viegbesie pointed out the politically correct terminology was “mentally challenged”.

Commissioner Viegbesie stated if there were standards in the selection that incorporated ADA requirements, that should cover everything in the selection process and he asked if the selection committee that was put together, if they would follow the equal employment opportunity guidelines to avoid any form of discrimination based on friendship, relationship, church membership, etc. and asked that one standard across the board be used for each youth that participated in the program.

Commissioner Taylor pointed out it was almost impossible not to hire a student that was not a friend or family to the commissioners. She also stated she appreciated the idea to hire students with mental and physical challenges. She asked if each commissioner was still allowed to pick five students and Mr. Presnell responded yes. She asked that they consider allowing one student from the five to have a lower average.

**Curt Richardson, 206 East 10<sup>th</sup> Avenue, Havana, FL**, appeared before the Board and said for a couple of years he had been unsuccessful in the past to get a couple of students to work with their aquaponics program. He added if they were able to get a couple of students, it could get them into the aquaponics program and train them and would be good help and asked how he could apply.

Mr. Presnell directed him to get in touch with Mr. Lawson.

Commissioner Hinson said with the students that Commissioner Taylor referred to, it would be good to have mentors, pastors in the community, etc., to work with the students that could promote community involvement in other areas.

Commissioner Morgan asked what the fiscal impact for the program was and Mr. Presnell responded \$104,000 and added that the majority of the money was budgeted and the additional money would come out of contingency. Commissioner Morgan asked the balance of the contingency account and Mr. Presnell after this money came out it would leave \$15,000 in contingency. Commissioner Morgan asked if it was a good idea to take out over half of contingency money for this. Mr. Presnell stated he took direction from the Board.

**COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE AND COMMISSIONER TAYLOR MADE A SECOND. BEFORE THE VOTE WAS TAKEN, MR. PRESNELL CALLED FOR QUESTIONS.**

Mr. Presnell asked what was included in the Motion. Chair Holt said the Motion for Approval was for the way it was and Commissioner Taylor spoke up and stated not the way it was. Commissioner Viegbesie said they wanted fairness, etc. added. Chair Holt said that had to be in the motion.

Commissioner Viegbesie withdrew his motion and Commissioner Taylor withdrew her second.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-1 BY VOICE VOTE TO ADOPT THIS ITEM WITH MODIFICATION TO INCLUDE EQUITABLE METHOD OF SELECTION THAT WAS IMPARTIAL AS WELL AS THE ACCOMODATIONS FOR THOSE WHO ARE PHYSICALLY AND MENTALLY CHALLENGED USING ADA GUIDELINES AND FOR THE SELECTION OF STUDENTS THAT THE COMMISSIONERS CHOOSE SHOULD BE CONSIDERATION FOR AT LEAST ONE OF THE FIVE THAT MIGHT NOT MEET THE GRADE ENTIRELY BUT HAVE A MINIMUM OF "D" AVERAGE. COMMISSIONER MORGAN OPPOSED.**

**11. Request Approval Amending the Gadsden County Board of County Commissioners Procurement Policy to Provide for a Local Preference in Bid Awards, to Permit the Utilization of Contracts of Other Entities on the Same Terms and Conditions if the Contract was Competitively Bid, and to Permit Bid Awards to the Next Lowest Bidder After Rescission of the Low Bid Without a New Solicitation**

Mr. Presnell introduced above item and said the Board had expressed an interest in amending the Procurement Policy and had asked staff to propose a draft including certain amendments for consideration.

**Arthur Lawson** appeared before the board and stated this gave local preference to the businesses that have identified and certified themselves as being local in the County and gave them a five percent preference and it provided a definition for "local businesses". He further explained that most of the changes were in Section 5 of the policy.

Commissioner Viegbesie said this was one of the first things discussed after he became commissioner and he asked the County Attorney if it could be stipulated that there be a minimum percentage of subcontractors that were here in the County.

Mr. Weiss stated there was a Local Subcontractor Labor and Materials provision already in the

policy.

Commissioner Viegbesie pointed out that after he became Commissioner, he met with some local businesses, Telligent and Coastal Lumber were a few and was surprised to find that Telligent had no Gadsden County residents employed and Coastal Lumber had less than twenty-five percent and felt this needed to be addressed.

Commissioner Taylor pointed out with businesses, the by-pass, etc., not many locals were employed and there was not many locals used for the building of the by-pass and not many work at the casino.

Mr. Weiss pointed out this only pertained to County procurement policy and the County could not tell companies who to employ, they were a private business.

Chair Holt said a workshop needed to be held regarding this matter and they needed to sit down and go over different scenarios until they had it where they wanted this to be.

Mr. Lawson pointed out if they decided to adopt a local procurement ordinance, it would also apply to things such as RFP's for the attorneys, engineers, etc. and more than likely, they would end up with local lawyers, engineers, etc.

Mr. Weiss mentioned they had to consider when talking about the number of employees, sometimes the business may be very small and may only have 1-3 employees and said when considering this, it did not mean that they were only going to hire local across the board, they were only giving a preference and they still had to be within five percent of the low bid to take advantage of that and they had to exercise the option to match the low bid.

Commissioner Hinson said he did not have a problem with the way things were currently, but the County Manager decisions, "he had the privilege to go out and, like the Courthouse (inaudible) because he had people that, here in Gadsden County could have done the same thing. We decided to pick Liberty County and other areas or different areas. Now, we can focus on giving him the direction then, cause somebody bid for \$300,000-\$400,000 we cannot, it's going to be kind of difficult for us to manage that piece. But the County Administrator, who he select, then, I'm talking about the for \$2,500.00 threshold, that will be that, because all of the stuff they were dishing out, that was outside of Gadsden County. We talking about doing the Courthouse, doing the jailhouse, all of the areas like that, that's where this stuff is coming from. So let's, we don't need to be going, I think we talking about everyone else, it's going to be kind of difficult to control them, we just ask him 'Hey, OK, we've got a threshold here, whenever we've got to do special projects, just make sure that you contact the local business first in the area and that would give those folks something to do in the area because we can control that particular decision. But, but, a business, it's kind of hard to manage that situation."

Commissioner Morgan said he knew the intention of the Ordinance was good, they wanted to give preference to local businesses if they could do that, but in reality he saw this as being a nightmare. He asked Mr. Lawson when an RFP is issued by the County, how often the process had to be redone because there were not enough people responding to meet the minimum qualifications and if it happened regularly.



Mr. Lawson stated that happened sometimes, if an adequate number of bids were not received consistently for a particular item they were trying to get because of it being a specialty item and only certain people were bidding and local people may not deal with, such as ordering boilers or hot water heaters for the hospital.

Commissioner Morgan asked how often there were two or less responses to an RFP when they were advertising for a particular service. Mr. Lawson responded maybe twenty-five percent of the time. Commissioner Morgan asked Mr. Presnell about a conversation they had recently had concerning employing local businesses and his concerns.

Mr. Presnell stated the paving contracts and they found out this could not apply to Ten Millions of the annual budget to SCRAP, SCOP, that it was in every agreement that there could not be anything such as this in the Purchasing Policy.

Commissioner Morgan pointed out they had discussed such as electricians, plumbers, etc. and Mr. Presnell had grave concerns. Mr. Presnell pointed out “Let’s just say, I want to go into the auditing business. I go hire me a Certified Auditor, certified in the State of Florida that works at 508 Smithtown Road and next year I’m going to be this Board’s auditor. You have no choice but to award it to me, or anybody else.”

Commissioner Morgan said there were all different things they were not considering and did not think it was a wise thing to do.

Chair Holt said if they looked at paving, they always had Peavy or CW Roberts and that CW Roberts was gone, so they would have Peavy. She added that SCRAP and SCOP was always done by Peavy or CW Roberts and asked if there was someone else that she was missing. Mr. Presnell stated there were three, but Peavy was the only one located in Gadsden County, but Roberts and Roberts had done several million dollars’ worth of paving. He explained that Roberts and Roberts was the old Chuck Roberts, they sold CW Roberts and started Roberts and Roberts.

Chair Holt said, “I’m sorry, that’s the one we ran out of town. OK, so, yeah, we ran them out of town. OK, now, but wait a minute now, he has, he still would meet under the employees because he still has a lot of Gadsden County employees that work for him”. Mr. Presnell pointed out he had no (local) office. Chair Holt stated he could get a post office box.

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

Commissioner Viegbesie said when this matter was discussed in November, he expressed the concern that it was not a very good idea because it limited competition and restricted businesses from outside to bid and felt it would lead to mediocratic products and was still his concern now, but would like to have included that there should be a requirement that the one who won the bid have a subcontractor that was local and resided in Gadsden County.

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

Chair Holt pointed out that when they go to the Florida Association of Counties meeting and talk with some of the vendors and it was everyone from engineers to people that built roads to people that built schools, etc., and ask them if they considered bidding on jobs in Gadsden

County and they respond no, because they felt they would not get a job here so they do not come.

Commissioner Viegbesie said if that was already the impression that they had and the County had something of this nature in writing, it would enforce the impression that they had no business in Gadsden County because they would not get the bid.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY CHAIR HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO WORKSHOP THIS ITEM.**

#### **COUNTY ADMINISTRATOR**

##### **12. Update on Various Board Requests**

Mr. Presnell informed the Board that at 7:30 p.m. on Thursday, April 23<sup>rd</sup>, CRTPA will be holding a workshop regarding the regional mobility plan from 6:00 – 7:30 p.m. at the County Commissioner Meeting Chambers.

On May 12<sup>th</sup> the Gadsden County Development Council will hold a regional economic development forum in partnership with Opportunity Florida from 10:00 a.m. – 3:00 p.m. at the Creek Entertainment Center in Gretna.

On May 14<sup>th</sup> FDOT will be holding a workshop from 5:30-6:30 at the Bill McGill at Library in Quincy regarding the multi-use trail project between Quincy and Havana.

He mentioned that in the **850** magazine Gadsden County was mentioned regarding economic incentives.

He asked that they spread the word regarding the Summer Youth Employment program and said staff would be coordinating with the commissioners to obtain their appointees for that program.

**Retreat** He said they needed to have another retreat to finish up the priorities and move forward into some of the major issues the commissioners had and they said it could be discussed at the next meeting. Chair Holt stated it needed to be before the budget workshop.

He asked if they wanted to set a date for a workshop on incentives and Chair Holt said it needed to be before the budget workshop.

#### **COUNTY ATTORNEY**

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

Mr. Weiss said he had nothing to report but was available for questions.

Commissioner Hinson said concerning Havana Heights, the issue had previously been discussed before the fire and felt the need to be aggressive in contacting their lawyer as well as the owner and figure out how to schedule a meeting to discuss this.

Chair Holt asked what his request was and Commissioner Hinson stated there needed to be

dialogue.

Mr. Weiss said the Board could address safety, health and welfare issues but it was private property and the owner generally had the right to exclude, but was subject to the County's ability to be able to exercise police powers. He added with them blocking off access, there was legal remedies that could be done, i.e., a lawsuit being filed if the Board wanted to go that far. He added that he thought the property insurer would have a problem with them blocking access for fire vehicles along with HUD.

Chair Holt suggested the attorney look at what the Board was allowed to do.

Commissioner Taylor said people were leery to speak against HUD funded programs because every other person that lives in those units had issues that would cause them not to qualify and they did not want to be looked at closely and in order to file a lawsuit, some of the residents would need to put their name on the dotted line and they would not do that.

There was further discussion around the Board regarding this.

Chair Holt suggested the attorney send a letter.

Commissioner Taylor cautioned them to be careful what was put in writing.

*Commissioner Morgan left the meeting at this juncture.*

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

#### **14. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

##### **Commissioner Eric Hinson, Vice Chair, District 1**

##### **Commissioner Anthony "Dr. V" Viegbesie, PhD, District 2**

Commissioner Viegbesie said he only had one thing: citizens were complaining about their electricity bill and asked the attorney if there was anything that the Board could do to help relieve the citizens of the high electricity bill.

Mr. Weiss stated there was nothing he was aware of because it was a private party contract.

##### **Commissioner Sherrie Taylor, District 5**

She asked the Administrator if they were continuing to document the Social Security satellite office and Mr. Presnell said yes and the kiosk was the next step promised.

She said she heard comments around the Board regarding the County Administrator's procurement threshold and asked at the last meeting to revisit this.

Commissioner Hinson said his concern was echoed by Commissioner Taylor.

Commissioner Viegbesie said Jackson County was bigger and their threshold was low.

Commissioner Taylor said she was concerned with Gadsden County, where she was elected and not Jackson County. She wanted dialogue around the Board as to why this change was made, not saying rationale was wrong in doing this, just wanted clarity.

She said Chair Holt mentioned FAC and said she had not run across anyone wanting to come to Gadsden County.

**Commissioner Gene Morgan, District 3**

**Commissioner Brenda Holt, Chair, District 4**

Chair Holt asked Mr. Presnell about Stevens School and said she was interested in the property to bring it up to date to hopefully get historical funding. She added that several places were put in for funding, one being Adams Street, houses on King Street, Arnett Chapel and Stevens School and they were never renovated. She said it needed to be brought up to date so funding could be applied for.

Commissioner Viegbesie suggested the grant writer reach out to Ms. Burns in Tallahassee because she might be able to direct the grant writer to available grants.

Commissioner Hinson said when they start hiring directors they could make sure they could write grants.

Mr. Presnell said last year the directors were able to obtain approximately \$12 Million in grants.

**Pastor Charles Morris, 23201 Blue Star Highway, Quincy, FL**, appeared before the Board and thanked them for the Proclamation that was presented to President Magnum, FAMU President. He added he felt it went well toward the whole relationship and wanted to thank the Commissioners as a whole for that. He added that in talking with her, she asked Tom Milsack who was the secretary of the Department of Agriculture and his mission was to revitalize America through rural communities and he thought that might be a wonderful opportunity for them to strategize and send a letter to him to see if a meeting was possible to discuss possibilities for Gadsden County or to go through President Magnum since he was the commencement speaker on May 2<sup>nd</sup>, felt he would be given an honorary degree. He said since agriculture was in the middle of Florida A & M University, felt they would do something agriculturally with FAMU and they might could partner with them. He added, "I feel if God is going to send us a Greyhound bus, we ought to go to the station at least, we shouldn't wait at our house to wait for the bus to come by, so I think it's a great opportunity for at least us to open up discussions with the highest levels and with the most money and could probably help with a lot of the projects that we are talking about. So maybe when we start discussing the budget schedule, a lot of things will be moot questions because of the fact that we could have impressed them enough that they would want to come".

**RECEIPT AND FILE**

**15. Florida Department of Health-Gadsden Quarterly Progress Report**

**UPCOMING MEETINGS**

**16. May 5, 2015-Regular Meeting  
May 19, 2015-Regular Meeting**

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 8:49 P.M.**

**GADSDEN COUNTY, FLORIDA**

---

**BRENDA A. HOLT, Chair**

**ATTEST:**

---

**NICHOLAS THOMAS. Clerk**

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON MAY 5, 2015 AT 6:00 P.M., THE  
FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1-arrived late  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
Sherrie Taylor, District 5  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Chair Holt called the meeting to order at 6:00 p.m., asked that everyone put their phones on vibrate. She asked that everyone stand for a moment of silence and then led in 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**

Mr. Presnell stated he would like to remove Item 4 and it would be brought back at a later date.

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

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Proclamation (National Public Works Week)**

Mr. Presnell said this Proclamation was in recognition of National Public Works Week and the Public Works Director, Curtis Young was present with some of the staff. They were asked to come forward, the Chair read the Proclamation aloud and then presented Proclamation to them.

**2. Proclamation (Women's Lung Health Week)**

Chair read and then presented the Proclamation to Joy Dixon

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

**3. Recognition of Sandy's Kickin Kitchen**

No-one was present to receive the Recognition.

**4. Recognition of Miller's Lighthouse Seafood & Grill**

**CLERK OF COURT**

Mr. Thomas spoke to the Commissioners and said the transactions for refunding the 2013 Transportation fund were complete and the 2013 Bond was paid off of the \$6.2 Million and the proceeds were in the bank account and the Board would need to amend the budget to reflect the

transactions. He advised that they spend carefully because the Bond would not be paid off until 2030. He then spoke regarding EMS and said there still was a cash flow problem that needed to be monitored. He said the revenue was posted today and was still \$69,000 negative cash and may need to be fixed by the end of the fiscal year.

**CONSENT**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSISONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

**5. Approval of Minutes**

-March 17, 2015-Regular Board Meeting

**ITEMS PULLED FOR DISCUSSION**

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

**PUBLIC HEARINGS**

**6. PUBLIC HEARING-Ordinance No. 2015-006 to Address Special Exception Uses (SEU) in the Gadsden County Land Development Code**

Mr. Presnell introduced the above item and said it was a public hearing seeking approval of Ordinance 2015-006 to amend the Gadsden County Land Development Code to address special assessment uses.

Chair Holt stated before there was public input she would like to have discussion first so the public would know what this was about.

**Allara Gutcher, Planning & Community Development Director**, appeared before the Board to better explain the Ordinance. She further explained that currently there was no criteria in the Code when people apply for special exceptions or for them to have to review against and Section 7300 would create an avenue for review of such requests and the perimeters in which the requests would be reviewed against.

Commissioner Viegbesie said for clarity, they were establishing uniform perimeters in which to approve or deny across the board and Ms. Gutcher replied yes.

Commissioner Morgan said, for clarification, the reason they were considering this tonight, when she came into this position as Planning Director, this was some of the things she identified and recommendations that she was making to move forward and she responded they needed to have this in the Code to even consider special exception criteria. She further stated the process was not changing, just what they needed to look at in order to be considered.

Chair Holt asked if the public had any comments and there were none.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**GENERAL BUSINESS**

**7. Approval to Accept the FY2015 2<sup>nd</sup> Quarter Report**

Mr. Presnell introduced item and said it was for acceptance of the 2015 second quarter report for 2015.

Commissioner Morgan had question regarding the line item regarding the contingency fund and asked why it showed (\$45,000) and then had \$30,000.

Jeff Price, Senior Management & Budget Analyst, appeared before the Board to address questions the Commissioners had. He stated the (\$45,000) was the amount they started with.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**8. Cooperative Equipment Loan Agreement**

Mr. Presnell introduced above item and said it was for approval for a Cooperative Loan Agreement between the Gadsden County Fire Service and Florida Department of Agriculture and Consumer Services, Florida Forest Service.

Commissioner Morgan said it showed there was no fiscal impact and did that mean there was no additional impact and Mr. Presnell stated that was correct.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**9. Code Enforcement Lien Satisfaction/Alice Cox; Parcel ID No. 315N4W09110000B0120**

Mr. Presnell introduced above item and stated it was for satisfaction of a Code Enforcement Lien on property previously owned by Alice Cox, parcel number 3152N4W09110000B0120.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**10. Re-Appointments to the Gadsden County Industrial Development Authority**

Mr. Presnell introduced the above item and said it was for approval to reappoint members to the Gadsden County Industrial Development Authority.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**COUNTY ADMINISTRATOR**

**11. Update On Various Board Requests**

Mr. Presnell said there would be an Economic Development Workshop on May 19<sup>th</sup> at 4:00 p.m. and if the Board wanted, they could schedule a retreat prior to that.

Commissioner Taylor said real deliverables were not in place in the contract. She stated there were targets in the contract but they were at their mercy and felt they needed to come before



them so they could be given direction on what the Board wanted to see as a whole.

**UPON MOTION BY COMMISSIONER TAYLOR TO ALLOW THE MANAGER TO SET A MEETING TO HAVE DIALOGUE STARTING MAY 19<sup>TH</sup> AT 4:00 P.M. AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

Mr. Presnell reminded them of the Summer Youth Employment and said they had gone through the process and each Commissioner is able to select five youths and asked that they get that wrapped up. Commissioner Hinson asked how it was advertised because some youth said they had not heard about it. Mr. Presnell said ads ran in the local papers, notice was sent to the schools, was on the website and had 310 applications. Commissioner Viegbesie asked if the five youth that Commissioners recommended had to go through the application process or if they could be appointed by the Commissioners. Commissioner Morgan said this was publically advertised and asked how it could be changed after the fact so Commissioners could pick and choose students of their choice. Commissioner Viegbesie said it was his understanding that each commissioner pick five and the student did not have to fill an application out. Chair Holt said they needed to move on this item and suggested in the future they make the clarification in writing what the procedure was to be.

Mr. Presnell reminded them of the James Thompson road dedication ceremony at Highway 90 in Gretna scheduled for Thursday at 4:00 p.m.

Re reminded them that Tuesday, the Gadsden County Development Council in association with Opportunity Florida was having a Rural Business Retention/Expansion at the Gretna Casino starting at 10:00 until 3:00 p.m.

**CRPTA** Appointment He said he had been in conversation with CRPTA and some of the cities and they were working on the issue and it was not clear in their by-laws regarding the replacement of members and there would be an upcoming Resolution regarding that.

Commissioner Viegbesie said he had been contacted by two municipalities regarding replacements on CRPTA.

## **COUNTY ATTORNEY**

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

Mr. Weiss said he had nothing to report but was available for questions.

Commissioner Hinson asked for an update regarding Havana Heights. Mr. Weiss stated he had sent a letter and was waiting for a response.

Commissioner Holt asked if parking was on the county right-of-way and the answer was yes.

Commissioner Viegbesie said one side belonged to the City and one side to the County.

**DISCUSSION ITEMS BY COMMISSIONERS**

**13. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**Commissioner Gene Morgan, District 3**

Commissioner Morgan had nothing to report.

**Commissioner Sherrie Taylor, District 5**

Commissioner Taylor said the Commissioners were to give names for Senior Citizens appointees and they needed to do that because they were starting to lose members.

*Commissioner Hinson left the meeting at this juncture.*

Chair Holt said a formal letter on County letterhead to the Senior Citizens would be nice requesting a response.

**Commissioner Anthony “Dr. V” Viegbesie, PhD, District 2**

Commissioner Viegbesie said his comment was what Commissioner Taylor just addressed.

**Commissioner Eric Hinson, Vice Chair, District 1**

**Commissioner Brenda Holt, Chair, District 4**

Chair Holt said she had spoken with our lobbyists and it was their opinion when the legislature reconvenes in June, the bill process would have to start all over again and meant they would have to start all over again with what they wanted. She was hoping they could lobby the representatives for the issues and needs of the County.

**RECEIPT AND FILE**

- 14. a. Quarterly Report Gadsden County Division of Emergency Management**  
**b. Gadsden County Chamber Small Business Service Report**  
**c. Mediacom**

**UPCOMING MEETINGS**

- 15. May 19, 2015 – Regular Meeting**

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 7:00 P.M.**

**GADSDEN COUNTY, FLORIDA**

---

**BRENDA A. HOLT, Chair**

**ATTEST:**

---

**NICHOLAS THOMAS, Clerk**

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON MAY 19, 2015 AT 6:00 P.M., THE  
FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1-arrived late  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
Sherrie Taylor, District 5  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Chair Holt called the meeting to order at 6:02 p.m., asked everyone to stand for a moment of silence and then led in 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**

Mr. Presnell said Item 1 was being pulled.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Recognition of Miller's Lighthouse Seafood & Grill**

**2. Proclamation – Chattahoochee Woman's Club**

Commissioner Morgan read aloud the proclamation and then presented it to the Chattahoochee Woman's Club.

**3. FDOT Presentation-Florida Transportation Plan and Strategic Intermodal System Update**

**Ms. Virgie Bowen, representative from DOT** appeared before the Board and gave an update and said they were updating their Transportation Plan and Strategic Intermodal System Policy Plan.

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

Ms. Bowen explained the FDOT Transportation Plans.

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

**CLERK OF COURTS**

Mr. Thomas was present and had nothing to report.

**CONSENT**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

**4. Approval of Signatures for Special Assessment Liens and Rehabilitative Contract-SHIP Program**

**5. Approval of Signatures for Special Assessment Liens and Rehabilitative Contract-SHIP Program**

**ITEMS PULLED FOR DISCUSSION**

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

**PUBLIC HEARINGS**

**GENERAL BUSINESS**

**6. Request Directions from the Board on the Process of Reviewing the Legal Services Proposals**

Mr. Presnell introduced the above item and said it was presented to the Board to request direction on the process the Board desires for the review of the Legal Services proposals.

Commissioner Viegbesie said there was an option that the Staff recommended, but as the newest commissioner he was not familiar with the criteria used in determination of the firms and suggested tabling until the next meeting.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO TABLE THIS ITEM.**

**7. Request Board Approval to Approve Award of Bid and Allow Chairperson to Sign the Contract for the Replacement of Three (3) High Efficiency Commercial Water Heaters at the CRMC-Gadsden Campus**

Mr. Presnell introduced above item and said the Board was seeking approval to award the lowest bid and allow the Chairperson to sign the contract to replace three high efficiency water heaters at the hospital.

Commissioner Viegbesie said in looking at the figures, there was a disparity in the figures and asked if each bidder was proposing the same type of equipment.

Mr. Presnell explained the County purchased the water heaters and the prices were strictly for plumbing and installation.

Commissioner Hinson asked where this was advertised and Mr. Presnell responded it was in all three local papers, website and was sent to all vendors in the area. He further explained they also sent invitations out asking vendors to bid on this.

Commissioner Taylor said she wanted to go on record saying she was not in favor of change orders and was afraid in looking at the difference in the bid amounts that might happen.

**COMMISSIONER MORGAN MADE A MOTION TO APPROVE AND SECOND WAS MADE BY**

**COMMISSIONER VIEGBESIE. BEFORE THE VOTE WAS TAKEN, CHAIR HOLT HAD COMMENTS.**

Chair Holt said the water heaters were six years old and asked the life span of the heaters.

CLYDE COLLINS appeared before the Board to address the question and said they no longer make parts for the heaters and he had taken from three to have one that worked.

Commissioner Hinson stated he wanted them to advertise in the Tallahassee Democrat to try to get more bids and better prices. Mr. Presnell stated they would do what the Board directed them to do, but they stayed away from the Democrat because of expense and as of now the ads currently ran approximately \$700.00. Commissioner Hinson stated if they advertised in the Democrat, there was a possibility of attracting more people and would be a good investment. Mr. Presnell said they had done a pre-bid on this item.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**8. CDBG Options**

Mr. Presnell introduced the above item and said this was provided in response to the BOCC's directive to pursue options requested by the Community task forces for CDBG fund utilization.

**Dee Jackson, Grant Writer**, appeared before the Board

Mr. Presnell said the grant illustrator had done research and two options were rehabilitation of houses in each district and construction of a new Emergency Management Services (EMS) facility.

Commissioner Hinson stated it was affordable housing and a community center they had asked about, not an emergency management facility. He stated he wanted a community center in the Havana area and was not sure how the emergency management facility came up.

Mr. Presnell pointed out once they saw the presentation; they would see the EMS facility was not an option.

Commissioner Hinson asked why they were not focused on the community center and Chair Holt stated she did not have a memory of that.

Commissioner Viegbesie recalled specifically that the Citizens Advisory body recommended that the Board write a CDBG grant to build new EMS facility at the hospital and that was approved.

Ms. Jackson explained the score sheet to the Commissioners and said there were difference categories that could be applied and the community center would come under the same category as the EMS facility. She explained some of the eligible activities were Infrastructure improvements such as water and sewer facilities; street and sidewalk paving; flood and drainage; fire protection; parking lots and natural gas lines and rail spurs. She also stated there were others such as community center, temporary shelters and parks and playgrounds and direct benefit activities such as housing rehabilitation, temporary relocation, water and sewer hookups, loans to businesses and building facades. She then listed the ineligible activities. She

said there was an initial assessment that CDBG does that Gadsden County did not score well before because of a late audit and 150 points was taken away, but that has since expired.

Ms. Jackson said she met with the CDBG people the day before and they felt Gadsden County was in a good position.

Commissioner Taylor asked in going forward, it looked like the options were for a community center or emergency facility and the possibility of renovation of houses.

Ms. Jackson said there were seven different categories that each project would fall under one and the community center would fall under the category with the emergency management facility and even though it was an eligible project the odds were very low of receiving funding for it.

Commissioner Hinson asked why the community center would score low and Ms. Jackson said she explained the scoresheet.

Commissioner Viegbesie asked how the County could prepare themselves to make it more substantive in the application to have them give the County the grant money when applied for.

Commissioner Hinson said they should focus on a way to capture the kids in the communities and seniors also needed a place to and was why he wanted the community center to reach everyone.

Commissioner Viegbesie asked out of the two options, which one had better chance of receiving the funding.

Ms. Jackson responded that according to CDBG there was no chance of receiving funding for the EMS facility because even if they approved it, it would not be approved at the federal level based on history.

There was more discussion around the Board regarding possible projects.

*Commissioner Viegbesie stepped out at this juncture of the meeting*

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

Chair Holt said they needed to wind this up and Mr. Presnell said the County had the perfect CDBG score and it needed to be used.

Commissioner Viegbesie asked if it would help if bundling was done on two items if it would enhance chance of approval and was told it could not be bundled.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 FOR OPTION ONE.**

**9. Pat Thomas Park Dock Replacement Bid Award**

Mr. Presnell introduced the above item and said it was for approval to award the bid of the Pat

Thomas Park Dock Replacement to Bayshore Construction.

Commissioner Taylor said she was concerned about the difference in amount of the bids.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 TO TABLE THIS ITEM UNTIL THE NEXT AGENDA.**

**COUNTY ADMINISTRATOR**

**10. Update on Various Board Requests**

Mr. Presnell reminded everyone of the budget workshop scheduled for next Thursday at 4:00 p.m. and reminded the Commissioners their books were in their boxes.

**Banking Services**

Mr. Presnell said the banking fees were running between \$1200-1300/month and it concerned him and asked if they were interested in looking at other services and then if needed, they could do something formal with bids. Mr. Thomas said for the record the Clerk was statutorily over the banking services and explained the problem with the banking services was because the interest rates had been so low. He said when the interest rate went back to 2%, the fees would go away and explained risks they could face with changing banking services. He further explained there were certain qualifications banks had to meet. He referred them to Florida Statutes Chapter 28.33 that explained the duties.

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

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

Chair Holt said she was in favor of Mr. Presnell checking in case a few dollars could be saved.

**Grants**

Mr. Presnell then stated there was a spreadsheet and with the grants already approved there was \$20,115,044.92 in the past two years that the County was awarded in grants.

**Senior Citizens**

He added at the last meeting he was asked to write a letter and he did and there was a response and there was a meeting on Thursday with the Board and he still needed names from two of the Commissioners.

**Job Fair**

He said a Thank You note was received and there were 23 employers present and had 150 job seekers that attended the job fair.

Commissioner Taylor asked about the summer jobs and where they were with the process. Mr. Presnell said there would be three orientation meetings coming up and selections and placements had been made.

Chair Holt stated they needed to “dress the part appropriately” of where they were working.



**COUNTY ATTORNEY**

**11. Update on Various Legal Issues**

Mr. Weiss said he had nothing to report but was available for questions.

Commissioner Hinson asked if there was an update on Havana Heights and Mr. Weiss stated he had not been contacted since the letter was sent and they needed to determine what the next step is.

**DISCUSSION ITEMS BY COMMISSIONERS**

**12. Report and Discussion Of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**COMMISSIONER GENE MORGAN, District 3**

Commissioner Morgan said he had nothing to report.

**Commissioner Anthony “Dr. V” Viegbesie, PhD, District 2**

Commissioner Viegbesie asked when Scottown could expect money for their park and Mr. Presnell said the grant would be approximately six to eight months and they were next.

**Update on Quincy By-pass North and South**

CRPTA finalized the funding cycle for vision projects beyond 2040.

Commissioner Morgan thought the PDE (Planning, Design and Environment) studies for the north end was included when they did that originally. Commissioner Viegbesie said the vendor was selected but the PDE study had not been done to know environmental impact and what the road costs would be. Commissioner Morgan asked what the \$700,000 covered and Commissioner Viegbesie said he would inquire as to that.

He then asked if instead of spending the money for television recording if it was possible to stream the meetings into the website and found out the Clerk’s office was doing it already. He asked that there be a link to the County’s website and found that it was being done already.

**Commissioner Eric Hinson, Vice Chair, District 1**

Commissioner Hinson said he had already asked his questions.

**Commissioner Sherrie Taylor, District 5**

Commissioner Taylor said for clarification as well as professionalism and asked that they make time valuable and felt the comment may have been taken out of context. She stated when they were there they were making decisions for the citizens and that at the end of the day they could walk away and says they had done an honest job. She added that was the only reason and rationale for the statement and wanted to clarify that and say that professional courtesy goes a long way around the dais.

Commissioner Hinson said he wanted to personally thank Dee Jackson for everything she was doing.

**Commissioner Brenda Holt, Chair, District 4**

Chair Holt said she had spoken with Sheriff Young and there was a need for a workshop to look at several items regarding the jail.

Commissioner Viegbesie said he was glad she had raised the issue with what happened over the weekend (inmate escaping from the jail) and that this Board was responsible for what happened at the jail. He said the Sheriff ran the jail, but this Board was responsible for the facility and the Sheriff was responsible for the operation.

Chair Holt said there were several options and felt better to workshop the issue and look at options.

Commissioner Viegbesie clarified she was asking for a motion to hold workshop and she said yes.

Commissioner Morgan felt it important to have detailed documents before workshop and the proper parties were at the table.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE A WORKSHOP REGARDING THE JAIL.**

She asked that the Manager and staff look at a five year plan for the County regarding where they needed to be next year economically, looking at facilities, I-10, social issues, etc.

**Receipt and File**

**13. Mediacom Letter**

**UPCOMING MEETINGS**

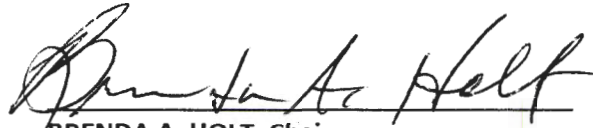
**14. June 2, 2015-Regular Meeting**

Gadsden County Board of County Commissioners  
May 19, 2015 – Regular Meeting

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 7:44 P.M.**

GADSDEN COUNTY, FLORIDA



BRENDA A. HOLT, 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 JUNE 2, 2015 AT 6:00 P.M., THE  
FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1-phonied in  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3-absent  
Sherrie Taylor, District 5-arrived late  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Chair Holt called the meeting to order at 6:00 p.m., asked everyone to stand for a moment of silence and then led in 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**

Mr. Presnell had two items he added to the Agenda to the agenda.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY CHAIR HOLT, THE BOARD VOTED 3-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED.**

**9a Extension of Legal Contract**

**9b Right of Way Inter-local Agreement with the Town of Havana for Proposed 2014 CDBG Neighborhood Revitalization Grant Project**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Presentation (Fracking)**

Mr. Presnell introduced the above item.

**Amy Datz, Chair, Environmental Caucus of Florida**, appeared before the Board to ask them to join in with them to say no to fracking in Florida.

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

**Brian Lee, 1603 Sauls Street, Tallahassee, FL**, appeared before the Board and briefly explained the dangers of fracking.

**Ron Saff, Tallahassee physician**, appeared before the Board to express his view on the fracking ban.

**Diane Williams Cox**, appeared before the Board to express her view to encourage Gadsden County to keep the water clean for everyone and oppose fracking.

Chair Holt stated they would need to add this to a later Agenda to be able to vote on it.

Commissioner Taylor stated she had questions regarding the fracking and asked that everyone return (they had left the meeting).

Ms. Datz appeared before the Board to answer the questions.

Commissioner Viegbesie stated what fracking could do and read from his iPad what he had found.

There was more discussion concerning this matter.

#### **CLERK OF COURTS**

Ms. Blocker informed the Board members that Mr. Thomas was at the Clerk conference and there was nothing to report.

#### **CONSENT**

- 2. Approval and Signature(s) for Satisfaction of Special Assessment Lien(s) SHIP Program  
UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE  
BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

#### **ITEMS PULLED FOR DISCUSSION**

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

#### **PUBLIC HEARINGS**

- 3. PUBLIC HEARING: Adoption of the 2015-2016 Tourist Development Strategic Plan**

Mr. Presnell introduced the above item and said it was for consideration of the adoption of the amended Tourist Development Strategic Plan.

**Allara Gutcher, Director of Planning and Community Development**, appeared before the Board to answer questions and presented Joe Burch, Chisano Marketing Group, who helped prepare the document.

Chair Holt stated there were no strikeouts and unlined copy attached.

Ms. Gutcher said the old plan was written by the Chamber and that plan was being replaced.

Commissioner Viegbesie said his only concern was addressed by the Chair and it would be helpful to have the revisions attached to be able to view changes. He said he saw nothing wrong with the attached document, but would like to see the old document to be able to view the changes.

Commissioner Taylor asked if it was time sensitive and Ms. Gutcher said they needed it approved to work on this year's budget.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE**

**BOARD VOTED 4-0 BY VOICE VOTE TO TABLE THIS ITEM UNTIL THE FIRST MEETING IN JULY.**

**4. PUBLIC HEARING: Adoption of Ordinance 2015-008 for the Amendment to Chapter 2, Administration, Article V, Boards, Commissions and Authorities, Division 3, Tourist Development Council; and Chapter 74, Taxation, Article I, In General, Division 3, Tourist Development Tax, of the Gadsden County Code of Ordinances**

Mr. Presnell introduced the above item and said it was for consideration of amendments to Chapter 2 (regarding Boards and Commissions and Authorities) and Chapter 74 (regarding Taxation) of the Gadsden County Code of Ordinances regarding tourism tax collection, the Tourist Development Council (TDC) and reference to the Gadsden County Tourist Development Strategic Plan.

**Allara Gutcher, Director of Planning and Community Development**, appeared before the Board and informed the Board that the amendment updated the Code of Ordinances and updated specific sections regarding Florida Statute requirements.

Commissioner Taylor asked if this had been before the Tourist Development Council and Ms. Gutcher said they had reviewed the plan but not the Codes.

Commissioner Viegbesie said he recalled from a recent meeting, they were still working on the approval of the appointment to the TDC and staff was instructed to go back and re-advertise and it come back for reconsideration and did not think that had been done yet. The Board said those positions were appointed at that meeting.

Ms. Gutcher explained the changes in the sections.

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

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

Commissioner Taylor asked since the Strategic Plan was tabled, if there would be any impact regarding this item and Mr. Weiss stated no, there was no reason to table, the old language was attached.

Commissioner Hinson commended the TDC.

Commissioner Viegbesie said he saw what was being replaced was more clear and straightforward and he had no problem with accepting what was presented.

Chair Holt said anything dealing with that Board should go to that Board, whether they have to approve or not, but had no problem with approving the item.

Chair Holt asked if there were comments from the audience and there was none.

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

**GENERAL BUSINESS**

**5. Approval to Confirm Appointment of UF/IFAS Gadsden County Extension Director**

Mr. Presnell introduced the above item and said this item was for Board confirmation of the employment of Shepard D. Eubanks as the new County Extension Director.

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

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

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

**6. Public Officials Bond Reviews**

Mr. Presnell introduced the above item and said it was for Board review of the sufficiency of Bonds for County Officers.

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

**7. Pat Thomas Park Dock Replacement Bid Award**

Mr. Presnell introduced the above item and said it was for Board approval to award the bid of the Pat Thomas Park Dock Replacement to Bayshore Construction, Inc. and said there was concern about the difference in the amount of the bids.

**Arthur Lawson** appeared before the Board to address questions of the Board.

Commissioner Viegbesie said his only concern was in line with concerns Commissioner Taylor had at the last meeting this was addressed and concerned the difference in the two bids. Mr. Lawson stated once the contract was signed there would be no additional change orders allowed.

**Justin Ford, Preble-Rish**, appeared before the Board to address concerns Commissioners had.

**COMMISSIONER TAYLOR MADE A MOTION FOR APPROVAL AND SUGGESTED IN THE FUTURE STIPULATIONS BE PUT IN PLACE TO PAY IN INSTALLMENTS. THERE WAS A SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-0 TO APPROVE THIS ITEM.**

**8. Approval to Repair and Replace Electronic Locks at the Edward J. Butler Governmental Complex**

Mr. Presnell introduced the above item and said it was for approval to repair and replace the outdated electronic locks at the Edward J. Butler Governmental Complex.

**Clyde Collins** appeared before the Board to address questions.

**UPON MOTION BY COMMISSIONERS TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, BEFORE THE VOTE WAS TAKEN, COMMISSIONER HINSON HAD QUESTIONS.**

Commissioner Hinson asked if this had been advertised and Mr. Presnell said they called around

to Safetouch, and some others and it had to be a security company that provided the service. Mr. Lawson stated the policy did not require a bid if it was under \$5,000 and the total amount was approximately \$600.00.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

Commissioner Hinson asked why this item came before the Board and Mr. Presnell stated because of the monthly fee, it was contractual and they did not enter into any contracts without Board approval.

**9. Request Direction from the Board on the Process of Reviewing the Legal Services Proposals**

Mr. Presnell introduced the above item and said it was for Board direction on the process the Board desired for the review of the Legal Services proposal.

Commissioner Viegbesie said when this was first presented he requested material and has since received it, reviewed everything and had no problem in proceeding.

Mr. Presnell said procedures Commissioner Viegbesie were referring to were the qualifications in the RFP that were required and then they were to report back to the commissioners.

**COMMISSIONER VIEGBESIE MADE A MOTION TO FOLLOW THE PROCEDURE OF THE EVALUATION PROCESS AND THERE WAS A SECOND BY COMMISSIONER TAYLOR, BEFORE THE VOTE WAS TAKEN, COMMISSIONER HINSON HAD COMMENTS.**

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE.**

**9a. Extension of Legal Contract**

Mr. Presnell introduced the above item and said it was for an extension of the legal services contract.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-0 TO APPROVE THIS ITEM.**

**9b. Right of Way Inter-local Agreement with the Town of Havana for Proposed 2014 CDBG Neighborhood Revitalization Grant Project**

Mr. Presnell introduced the above item and said it was for approval of an Interlocal Agreement with the Town of Havana for a proposed 2014 CDBG Neighborhood Revitalization Grant Project.

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

**COUNTY ADMINISTRATOR**

**10. Update on Various Board Requests**

Mr. Presnell reminded them the second meeting in June was cancelled due to the upcoming Florida Association of Counties conference.



He said he had been working individually with commissioners regarding roads list and answering questions and would like to get the roads done in the near future.

**Retreat**

He asked for direction from commissioners as to when they would like to hold the next retreat.

He said Rutherford and Associates would start their inspection of the jail tomorrow and should have the report in a couple of weeks.

**COUNTY ATTORNEY**

**11. Update on Various Legal Issues**

Mr. Weiss said he had emailed out the First District Court of Appeals decision regarding the casino in favor of reversing the denial of license for slot machines and there were things to still be determined.

Commissioner Holt said if no legislation came forward, We were good and there was a meeting scheduled for the next morning.

**DISCUSSION ITEMS BY COMMISSIONERS**

**12. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**COMMISSIONER SHERRIE TAYLOR, District 5**

Commissioner Taylor said she had nothing to report.

**COMMISSIONER ANTHONY “DR. V” VIEGBESIE, PhD., District 2**

Commissioner said some residents were upset regarding the Havana Highway and the bike lane and right of way intrusiveness of the property right of way and asked what the Board could do with FDOT to have them consider an alternative route and if that was appropriate. He asked if a workshop could be held regarding this and said no-one seemed to know how the project came into the FDOT work plan. Mr. Weiss said they had no control over FDOT projects on State roads, and they could ask for a workshop to have dialogue to alleviate concerns of the citizens, but was unsure how DOT would respond, but saw no harm in making the request.

Commissioner Viegbesie said a public hearing was held on May 12<sup>th</sup> and was packed with residents in opposition of the bike trail. He said he was looking for ways they could do this to improve the quality of life for the citizens of the County.

Chair Holt said this had been discussed among Board before and was pretty well accepted, along with the by-pass.

Commissioner Taylor pointed out this was the brainchild of former Commissioner Croley and she had had conversations with a citizen along the lines of Commissioner Viegbesie’s concerns. She added she thought people did not know all the information and were putting their own ideas on what was going to happen because no-one had formally told them how this would

work out.

Chair Holt said they needed to make sure both sides of views were heard.

Commissioner Taylor said she felt there needed to be a formal request from the Administrator on behalf of the Board to DOT to come have dialogue.

Mr. Presnell said he didn't think final designs had been completed and the Community Traffic Safety Team and the City of Quincy were against the project and there was still plenty of opportunities and it still had to go into the five year plan.

Mr. Presnell said he could request a meeting be held in this building.

**COMMISSIONER GENE MORGAN, District 3**

**COMMISSIONER ERIC HINSON, Vice Chair, District 1**

Commissioner Hinson thanked Administrator and Staff for super job being quick to respond to some issues that happened.

**Mosquitos and stray dogs**

He said the stray dogs were running people out of their communities where they could not enjoy the outside.

**Traffic lights in Concord**

He asked the outcome of that matter and Justin Ford appeared before the Board to explain the Traffic safety study that was requested in April, the application was submitted and is now in DOT's hands and it might be a few months before they heard anything.

He asked the Board to have dialogue with the Fire Department in Concord and asked that it be placed on the budget agenda.

**Gas Line that runs through Havana**

Commissioner Hinson asked if Mr. Presnell had spoken with a lady in Havana (name was inaudible) regarding an old gas line that ran from the old Havana Northside High School and through her home. Mr. Presnell said he had spoken with her several weeks ago and the line was a non-used line and had been inspected.

Chair Holt asked that Commissioner Hinson speak one-on-one with the Administrator.

**COMMISSIONER BRENDA HOLT, Chair, District 4**

Chair Holt said she would like to address attendance of commissioners and would like it placed on the agenda and a policy be written.

She further stated that Departments used to come before the Board and present their budget during budget workshop and hearings and would like to do that.

**RECEIPT AND FILE**

**UPCOMING MEETINGS**

**13. June 16<sup>th</sup> Regular Meeting Cancelled**

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLD DECLARED THE MEETING ADJOURNED AT 8:00 P.M.**

**GADSDEN COUNTY, FLORIDA**

---

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

**ATTEST:**

---

**NICHOLAS THOMAS, Clerk**

**AT A SPECIAL MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON JUNE 30, 2015 AT 6:00 P.M.,  
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
Sherrie Taylor, District 5-appeared by telephone  
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 Holt called the meeting to order at 6:03 p.m., asked for a moment of silence and then led in the Pledge of Allegiance to the U. S. Flag. A silent roll call was conducted by Marcella Blocker, Deputy Clerk.

**AMENDMENTS AND APPROVAL OF AGENDA**

Mr. Presnell stated he would like to amend the Agenda to add an emergency item -Post Approval of Emergency Purchase of A/C Unit under the Emergency Purchasing Authority of the County Administrator.

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

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

**PUBLIC HEARINGS**

- 1. PUBLIC HEARING: Adoption of Ordinance No. 2015-009, An Ordinance of the Board of County Commissioners of Gadsden County, FL, extending the Six Cent Local Option Fuel Tax on every gallon of motor fuel and diesel fuel sold in Gadsden County, FL, and taxed under the provisions of part I or part II of Chapter 206, Florida Statutes, pursuant to Section 336.025(1)(a), Florida Statutes, through December 31, 2044, as previously adopted and extended by Ordinance Numbers 85-005, 95-007, 2005-003, and 2007-007, currently codified at Chapter 74, Article I, Section 74-2 of the Gadsden County Code of Ordinances; providing for repel, severability, inclusion in the Gadsden County Code of Ordinances, and modifications that may arise from consideration at public hearing; and providing for an effective date.**

Mr. Weiss explained the Ordinance and said it was to extend the current Ordinance that imposed the six cent local option fuel tax and it was brought to their attention that the Ordinance would expire August 31, 2015 and the Department of Revenue brought to their attention that there was a July 1<sup>st</sup> deadline on order to expend the Ordinance tax and they required passing of the Ordinance prior to the expiration of August 31<sup>st</sup>. He said the proposed

Ordinance would extend it to December 31, 2044.

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

Commissioner Viegbesie asked if it could be extended longer than 30 years and Mr. Weiss explained that 30 years was the outer bound of the limit to the statute.

Commissioner Morgan asked the attorney if the tax could be lowered in the future without affecting the Ordinance in the future. Mr. Weiss explained it would be a revision of the Ordinance and there was nothing to say that they could not amend the ordinance and lower the tax. Commissioner Morgan then asked the Administrator if research had been done if tax was lowered what the revenues would be for the County and would more gas be purchased and produce more revenue. Mr. Presnell said he had brought a proposal before them and there was discussion about more tax and there would be less consumed but they had no hard data.

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

**2. Post Approval of Emergency Purchase of A/C Unit under the Emergency Purchasing Authority of the County Administrator**

Mr. Presnell explained the emergency item added to the agenda and said was for post approval of an emergency purchase for the rooftop air conditioning unit at the Courthouse Annex. He explained under Section 5.11.1, Emergency Purchases, of the County Procurement Policy the County was able to do this.

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

**COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE AND CHAIR HOLT MADE THE SECOND. BEFORE THE VOTE WAS TAKEN, COMMISSIONER MORGAN HAD COMMENTS.**

Commissioner Morgan said he hoped from this day moving forward, they would look into going back to the Procurement Policy as it was before the change was made and this was a prime example of the reason to not have made the changes they did to the Policy.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

Commissioner Viegbesie said regarding the gas tax and the comments made by Commissioner Morgan, Gadsden County had the lowest gas tax in all 67 counties.

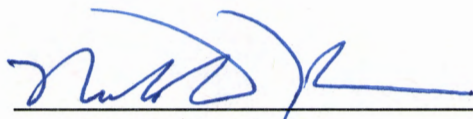
**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 6:15 P.M.**

**GADSDEN COUNTY, FLORIDA**

  
**BRENDA A. HOLT, Chair**

**ATTEST:**

  
**NICHOLAS THOMAS, CLERK**

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON JULY 7, 2015 AT 6:00 P.M., THE  
FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
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**

Chair called meeting to order at 5:59 p.m., asked everyone to stand for a moment of silence and then led in the Pledge of Allegiance to the U. S. Flag. A silent roll call was conducted by Marcella Blocker, Deputy Clerk.

**AMENDMENTS AND APPROVAL OF AGENDA**

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

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Reinstating Election Integrity**

(Rick Soskis, Citizen Advocate of Election Integrity)

**Rick Soskis, Citizen Advocate of Election Integrity**, appeared before the Board and spoke on election integrity and asked that a non-binding Resolution be passed by the Board in support of an amendment to the U.S. Constitution that would effectively reverse the U.S. Supreme Court's decision in 2010 on "*Citizens United v. Federal Election Commission*" and he then explained the resolution to the Board and public.

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

Mr. Weiss said he had looked at the item and it was a voluntary request as was explained by Mr. Soskis and there was a decision that they might be familiar with and the Supreme Court basically held that corporations had the right to free speech and that money was a form of speech effectively. He said the Bipartisan Campaign Reform Act that prohibited corporations from funding ads that mentioned candidates within certain time frames of elections was an unconstitutional ban on free speech. He said the request was that the County adopt a resolution that was trying to combat that to amend the Constitution accordingly.

Commissioner Viegbesie said he felt this item was presented for appearance and it was a very important item and said this was the same issue the gentleman flew the bike/airplane into the White House to make a point and said if it was appropriate, would like to move that the item be placed on the agenda for action at the next meeting.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM TO BE PLACED ON THE NEXT AGENDA.**

**2. Resolution (Recognition of Freedom Faith Summer)**

Mr. Presnell introduced the above item and said it was for recognition of Freedom of Faith Summer.

Chair Holt and the Board members stepped forward to read aloud and then to present the Resolution to the group.

**CLERK OF COURTS**

**3. BOCC Investment Letter**

Mr. Thomas said he had prepared a report and was available to go through everything and answer any questions if the Commissioners had any.

Chair Holt asked if there were any questions or comments for the Clerk and there were none.

**CONSENT**

Mr. Presnell said the Consent Agenda was before them.

**MOTION WAS MADE BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, BEFORE THE BOARD VOTED COMMISSIONER HINSON HAD A QUESTION.**

Commissioner Hinson asked if there was a possibility of adding another mosquito truck and Mr. Presnell said a new director was coming on board and that would be appropriate once he was settled in and if he felt there was a need for it, he would be open to that.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

- 4. Approval of Public Works Mosquito Control Budget**
- 5. Resolution No. 15-004 For the Continued Support of the Adams Street Restoration and Sidewalk Project**
- 6. Approval of Traffic Signal Maintenance Agreement with the State of Florida Department of Transportation**
- 7. Approval of Minutes**
  - a. May 29, 2014 Budget Workshop**
  - b. July 24, 2014 Budget Workshop**
  - c. April 7, 2015 Regular Meeting**

**ITEMS PULLED FOR DISCUSSION**



**REQUESTING CITIZENS TO BE HEARD**

**Ben Chandler, 10511 Winters Run, Tallahassee, FL, with Chattahoochee Main Street.** Mr. Chandler said recently some nominations were made for Secretary of State Florida Main Street Awards and they received two: one was for Outstanding Public Private Partnership award and to the Gadsden County Development Council Business Retention and Expansion Consortium Corporate Visitation Program. He thanked everyone for their support to the program and said it was being recognized on a statewide level.

Commissioner Morgan said this was a great example of a local organization the Board shoes to help provide seed money.

Commissioner Taylor said she did have one question for the Clerk for his presentation. She asked with regard to the Investment Letter and said she understood the possibility of the prime interest rate going up and how it might affect their ability to pay debt service and if there were any ideas or contingency in play in the event there were any issues.

Mr. Thomas said he did not address that in the letter, he only reflected on the interest rate going up and being able to earn more money because most of the things they were allowed to invest in were tied to the interest rate.

**PUBLIC HEARINGS**

**8. PUBLIC HEARING: (Quasi-Judicial) Conceptual/Preliminary Site Plan for the Crossroad Academy Charter School Expansion (SP-2015-02)**

Mr. Presnell introduced the above item and said this was for approval for a conceptual/preliminary site plan for the Crossroad Academy Charter School Expansion ((SP-2015-02).

Chair Holt asked if the Commissioner had any questions regarding the project.

Commissioner Taylor asked that the representative be allowed to explain quickly the item.

**Brad Beatty, Barkley Consulting Engineers 3494 Martinhurst Road, Tallahassee, FL,** and said the current gym did not meet their needs and they were addressing expanding and adding a couple of other rooms that would be added in the future for a pre-school and music building.

Chair Holt asked how the Planning and Zoning meeting went and Mr. Beatty stated it went well and was approved with conditions and they had since submitted back to the County the conditions to show they were willing to meet them.

Commissioner Hinson asked if the attorney had any concerns and he did not.

Commissioner Morgan said he had questions for Allara Gutcher.

**Allara Gutcher, Director of Planning and Community Development,** appeared before the Board.

Commissioner Morgan asked her to address the process from this point forward.

Ms. Gutcher said they would satisfy the conditions and then the final could be approved after they resubmit or amend their documents as necessary based on the conditions. Commissioner Morgan asked if it would come before the Board again and Ms. Gutcher said this Board was seeing this for the only time.

Chair Holt asked if there were any public comments for or against the item and there were none.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**9. PUBLIC HEARING: (Quasi-Judicial)-Crossroads Academy Charter School Variance Request (V-2015-002), Approval of Variance Final Order**

Mr. Presnell said this item went along with the previous item and was to allow removal of three (3) protected trees located on the property.

Chair Holt asked if there were any comments from the public and there were none.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**10. PUBLIC HEARING: (Legislative)-Approval of Vacation of Easements (Conservation & Drainage) for the Comfort Creek Phase I and Cottage of Comfort Creek Minor Subdivisions (VAC-2015-01)**

Mr. Presnell introduced the above item and said it had been around for several years and had been dormant since 2007 and now had new owners. He said they were seeking for the Board to abandon the conservation and drainage easements that had been part of the development when it previously went through the process. He stated that when the Planning and Zoning Board heard this, they voted unanimously to only vacate the drainage easements that had been deeded to the County, but the County had never formally accepted them. He also said when this was previously approved, the Board did so allowing one community dock and boat house and the developers were now looking to have docks on each individual lot.

Chair Holt asked that the map be pulled up and there were technical difficulties in doing so.

**Allara Gutcher, Planning and Community Development Director**, appeared before the Board to address the questions the Board had. She reiterated the property had been through several property owners since it originally was before the Board and the original property owner deeded the conservation and drainage easements to the County without the County's knowledge. She added that the Planning Commission recommended that the County release the drainage easements but retain the conservation easements that lie within the property. She also stated it was a much larger project when it was first introduced in 2006 and the reason they had to have the easements was the property was in Ag I category and in order to get the reduction to the size and the lots to 2 acres, they have to have fifty percent dedicated to a conservation easement of the property.

Commissioner Morgan asked what the total acreage was that was involved in the development.

**Elva Peppers, Florida Environmental & Land Services, Inc., as agent**, appeared before the Board to address questions the Board had. She explained the northern part of the property was the

Comfort Creek Phase I section and had six lots. She also explained that initially the road was going to be county maintained and would no longer be and was why the County did not want nor need the drainage easement and it would go to the Homeowners Association. She added that the conservation easements would be recorded either left alone as they are to the County or deeded to the Homeowners' Association and the conditions of the conservation easement would remain intact and exactly the same.

Commissioner Morgan asked the attorney if he had reviewed this item and Mr. Weiss had. He asked Mr. Weiss if he had any concerns and Mr. Weiss said the County did not want the drainage easement and whether or not they wanted the conservation easements was their discretion. He added to satisfy the condition of the Land Development Code, the conservation easements would have to be recorded, whether identical to the current ones or not.

Commissioner Viegbesie said his only qualm was there were a lot of issues that was currently unanswered and suggested they table the item and do a better job so when the Planning and Development Department comes up, they are very informative to this body as to what the benefit is and why they should or should not vacate the easements.

Ms. Peters said if there was a specific question, this was not a huge issue as to whether they were going to vacate or not and the Homeowners' Association could hold the easement.

Allara Gutchner re-appeared before the Board and said there was discussion on the pros and cons of who owned the easements and read the prohibited activities listed in the Conservation Easement.

Chair Holt stated that it needed to be made clear that this would be a private road and not county-maintained and Ms. Peppers re-appeared before the Board and said that Ms. Jeglie had done a magnificent job of having them enter those words "This is a private road, you are responsible" on the proposed Homeowner Association documents and deeds.

Commissioner Taylor said when they conserved property in those neighborhoods they were taking away revenue from the County and asked how they derived those particular areas of property for the conservation. Mr. Presnell responded that it was for protection of the water quality.

Commissioner Hinson said his rule of thumb he has had for the past twelve years as a Commissioner, when there is a concern, to table it and he said he would second Commissioner Viegbesie's motion to bring this item back in two weeks so everyone could get their questions answered.

Chair Holt stated that Commissioner Viegbesie's motion had been to table the item and Commissioner Hinson was making the second. Mr. Weiss asked for clarification if the motion was to table or to continue. Commissioner Viegbesie said it was to continue until the next meeting. Mr. Presnell asked if it was continued would they be ok on the advertisement because that would not give them enough time to re-advertise.

*Chair Holt stepped out at this juncture of the meeting.*

Commissioner Viegbesie said when they state "vacation of easement, it means you are giving up

your control of the property for conservation and for drainage and if you give up your control, that could lead to abuse of the property, that's my interpretation. Then why are we giving it up, what is the impact of giving it up to the County, detrimental or beneficial impact of vacating. That is what I still have not gotten clarity on it because the developer's interest is the developer's interest, which is for the homeowners and to sell the property. That is the developer's interest. What I really want to hear from the body that is for the County interest to argue the County's position for or against the vacation. That's what I haven't gotten...I really need clarification before I go forward with this; I still haven't gotten clarity because I am not a land developer."

*Chair Holt returned at this juncture of the meeting.*

Mr. Weiss said with the drainage easement you needed to have proper drainage according to whatever improvements, whether the road is paved, unpaved, however it is, but there were requirements, regardless of who holds the drainage easement, the easement would be what it would be based on adopted standards based on engineering. He further explained the County did not want to hold a drainage easement without having public right of way because they did not want to be responsible for maintaining it. He said there was no reason for the County to continue to hold the drainage easement because the regulations would be there for whoever held it. He said the conservation easement was the same and the developer would still be required to record a conservation easement that would be identical to what they were seeing and be in compliance with the Land Development Code and the Florida Statutes and would be in favor of another qualified entity.

Commissioner Viegbesie withdrew his motion and Commissioner Hinson withdrew his second.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION THREE.**

**11. PUBLIC HEARING: Adoption of the 2015-2016 Tourist Development Council Strategic Plan**

Mr. Presnell introduced the above item and said it was to consider the adoption of the amended Tourist Development Strategic Plan.

Chair Holt asked if there were any public comments and there were none.

Commissioner Viegbesie stated in the Agenda request it stated 2 cent and the new Ordinance stated 2 percent and asked which was correct. Mr. Weiss stated two percent was correct, which would be 2 cent on the dollar.

Commissioner Hinson asked where the amendments were. Mr. Presnell explained the old plan was completely struck through and was being replaced by the new plan.

Allara Gutcher appeared before the Board and stated the entire document had been amended and was being replaced with a brand new document. Commissioner Hinson asked what was wrong with the old plan and Ms. Gutcher stated it was dated from 2009 and they should be updated every year based on circumstances, programs and marketing ambitions and it was being updated to reflect the next program year.

Commissioner Morgan asked Allara if he wanted to reference the old plan versus the new, where

the information was.

Ms. Gutchner said the old one was dated 2009.

Mr. Presnell said it was emailed to everyone a couple of weeks ago and Allara said a hard copy was placed in their box a couple of weeks ago. Mr. Weiss stated the old document started on page 30 of 100.

Commissioner Hinson asked that she tell them the highlights of the amended Plan and she said one of the major concerns they had with the old plan, there was an allocation of funds to marketing/grant applicants and the terms were used interchangeably throughout the plan so when an applicant came forward the TDC was struggling as to where the money came from, the marketing money or the grant money and it was now more clearly defined as to where the money would come from.

Commissioner Viegbesie said he had no issues with the plan as long as this made the old one void.

Commissioner Morgan said when he was on the TDC, the reason the strategic plan was developed was there was concern that they were not meeting some of the State statutory requirements and wanted to make sure minimum State requirements were being met. She replied that State statutes were being met, they had to outline how they were funding the money and what percentages were marketing and what were administrative costs and what were grant monies they were going to give out.

Chair Holt said she had no problems with the plan and they needed to try to bring in revenue for the County.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER MORGAN OPPOSED.**

## **GENERAL BUSINESS**

### **12. 2015 Striping Project-Bed Award**

Mr. Presnell introduced the above item and said it was for Board approval to award the bid of the 2015 Striping Project to Oglesby Construction, Inc., the low bidder in the amount of \$71,992.10. He said they had received 3 bids and this bid came in lower than they thought and two things would happen, if they are happy with the work, they will come back with a change order to spend more dollars because there was \$200,000 bid and there was a possibility of adding more roads by doing a change order.

Commissioner Hinson asked since this was such an inexpensive rate, why could they just not add to it now and Mr. Presnell stated no, they would have to bring back specific road names with pricing for approval. Commissioner Hinson then asked the County Attorney if that was a possibility and Mr. Weiss stated the Administrator was correct.

Commissioner Viegbesie asked if roads were categorized and Mr. Presnell said yes, they were categorized from worse to better.

Commissioner Taylor asked if it were fair to the other bidders to do it as a change order with a continuation and said she felt it better to approve this tonight and then put another bid out to make sure it was fair.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**13. Approval of Contractual Agreement between CenturyLink and Gadsden County Board of County Commissioners**

Mr. Presnell introduced the above item and said it was for approval for the contractual agreement between CenturyLink and the Gadsden County BOCC and for authorization for the Chair to sign. He added this was a Contract for the dispatch system at the Sheriff's office.

**COMMISSIONER MORGAN MOVED FOR APPROVAL OF OPTION ONE AND COMMISSIONER VIEGBESIE MADE THE SECOND. BEFORE THE VOTE WAS TAKEN, COMMISSIONER HINSON HAD QUESTIONS.**

Mr. Presnell said they had looked into this matter because there were concerns with the same issue last year, but the problem was when you buy certain types of equipment, you select that equipment, software, maintenance agreements, etc. and limits you to that manufacturer.

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

**Buddy Peddie, E911 Coordinator**, appeared before the Board to address questions.

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

Mr. Peddie explained this was a "sole source" item.

Commissioner Taylor asked him to explain "sole-source" so everyone would understand what he was talking about.

Mr. Peddie said the State required if it was not be bid out, that they had to have a sole source letter as to why it was not bid out and he further explained it was not bid out because it was their equipment and they maintain it.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**14. Big Bend Jobs & Education Council, Inc. d/b/a CareerSource Capital Region Gadsden County Board of County Commissioners, Leon County Board of County Commissioners, and Wakulla County Board of County Commissioners Interlocal Agreement**

Mr. Presnell introduced the above item and said it was to request approval of the Interlocal Agreement between CareerSource Capital Region, Gadsden County BOCC, Leon County BOCC and Wakulla BOCC.

**Jim McShane, Chief Executive Officer, CareerSource Capital Region**, appeared before the Board.

He explained the reason they were back with the Interlocal Agreement update was their laws changed as of July 1<sup>st</sup> and they came into a new Federal law. He then explained who they were and what they did.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**15. Resolution 15-003 Supporting Proposed Legislation Providing a Statewide Prohibition on Hydraulic Fracturing, Acid Fracturing, and Well Stimulation Performed for the Purpose of Exploration or Production of Oil or Natural Gas in the State of Florida**

Mr. Presnell introduced the above item and said it was for the Board's consideration of Resolution 15-003 supporting proposed Legislation providing a statewide prohibition on hydraulic fracturing, acid fracturing, and well stimulation performed for the purpose of exploration or production of oil or natural gas in the State of Florida.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**16. Committee's Evaluation Results of Legal Services Proposals**

Mr. Presnell introduced the above item and said it was the evaluation committee's results of their evaluation of proposals received from firms desiring to provide Legal Services to the County.

Commissioner Viegbesie commended staff for a job well done. He pointed out the Williams Firm was lower than the other firms.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY CHAIR HOLT, COMMISSIONER MORGAN AND COMMISSIONER TAYLOR VOTED NO. BEFORE COMMISSIONER HINSON WOULD VOTE, HE STATED HE HAD QUESTIONS. CHAIR HOLT SAID VOTE WAS IN PROCESS. COMMISSIONER HINSON STATED COMMISSIONER VIEGBESIE MADE GOOD POINTS AND THEN VOTED NO. MOTION FAILED 2-3.**

**COMMISSIONER MORGAN MADE A MOTION FOR THE AUSLEY LAW FIRM. MOTION FAILED FOR LACK OF SECOND.**

Commissioner Taylor said they had always come back with a meeting with the applicants.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 3-2 BY VOICE VOTE TO HAVE ALL FOUR APPLICANTS APPEAR BEFORE THE BOARD. COMMISSIONER VIEGBESIE AND CHAIR HOLT OPPOSED. MOTION PASSED.**

**17. Invoices for Hospital Equipment**

Mr. Presnell introduced the above item and said it was for approval to pay for replacement equipment at Gadsden Memorial Hospital Campus.

Mr. Arthur Lawson appeared before the Board to address questions.

Commissioner Viegbesie suggested they honor the agreement but felt the contract needed to be reviewed and revised.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**18. Appointment to the Quincy-Gadsden Airport Authority**

Mr. Presnell introduced the above item and said it was for approval from the Board to appoint Mr. Roy Pippin as one of the Gadsden County representatives to the Quincy-Gadsden Airport Authority.

**COMMISSIONER VIEGBESIE MADE A MOTION AND COMMISSIONER TAYLOR MADE A SECOND. BEFORE VOTE WAS TAKEN, COMMISSIONER HINSON CALLED FOR QUESTIONS.**

Chair Holt pointed out the need to advertise for Board appointments of any vacancies on Boards or commissions because people would not know and might be interested in serving.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE MR. PIPPIN.**

**19. Approval to Apply for the State Funded Emergency Management Preparedness and Assistance Grant #16-BG-83-02-01-019 and the Federal funded Emergency Management Performance Grant #16-FG-02-03-01-086**

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

Mr. Presnell introduced the above item.

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

**20. Approval to Submit Payment for Emergency Repairs Completed on County Owned Fire Truck**

Mr. Presnell introduced the above item and said it was for approval to submit payment for emergency repairs that were completed on the County owned fire truck located at the City of Quincy Fire Department.

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

**21. Post Approval for Enforcing the Code Violation Order for Daryl Dockery and Angela R. Dockery Parcel #2153N4W0000001342500**

Mr. Presnell introduced the above item and said it was for **post** approval of a Code Enforcement case that was before them previously, it had been before the Magistrate, bidding was done, bid was awarded to the low bidder but the paperwork did not have the complete name of Daryl Dockery and Angela Dockery and did not specifically approve the demolition of their home.

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



**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**22. Update to CDBG Housing Assistance Plan (HAP) Policy Request**

Mr. Presnell introduced the above item and said it was to update the CDBG Housing Assistance Plan (HAP) Policy.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION 2.**

**23. Approval to Accept the Contract with Emerson Network Power, Liebert Services, Inc. to Service and Maintain the Battery Module, (NBATIMOD) in the 911 Dispatch Office at the Gadsden County Sheriff's Department**

Mr. Presnell introduced the above item and said it was for Board approval to accept a contract with Emerson Network Power, Liebert Services, Inc. to service and maintain the battery Module in the 911 Dispatch Office at the Sheriff's Office and to allow the Chair to sign.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**24. Approval to Transfer and Upgrade the Existing Security Panel for the Intrusion Detection System and to Repair the Fire Panel/Fire Keypad to the Fire Alarm Control System at the Gadsden County Public Library, Quincy**

Mr. Presnell introduced the above item and said it was for approval of transfer and upgrade of the existing security panel for the Intrusion Detection System and Repair to the Fire Panel/Fire Keypad to the Fire Alarm Control System at the Gadsden County Public Library.

**COMMISSIONER MORGAN MADE A MOTION TO APPROVE OPTION 1 AND A SECOND WAS MADE BY COMMISSIONER TAYLOR. BEFORE THE VOTE WAS TAKEN, MR. WEISS POINTED OUT IT DID NOT CALL FOR A CONTRACTOR AND THERE WERE SEVERAL LISTED. THE MOTION AND SECOND WAS WITHDRAWN.**

Commissioner Taylor asked the Attorney if they were safe adding in the contractor at this point and he said it was just a matter of making it clear for the agenda item and he suggested adding the contractor to the motion.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE UPGRADES AND REPAIRS AND REDWIRE AS THE CONTRACTOR.**

**25. Approval to Transfer and Upgrade the Existing Security Systems for the Intrusion Detection and Install and Maintain Burglar Alarm Systems with Fire Alarm Monitoring for the Chattahoochee Public Library and the Havana Public Library**

Mr. Presnell introduced the above item and stated it was the same as the previous item.

Commissioner Taylor said the previous motion included all libraries.

Mr. Weiss said for record purposes since this was a separate item he suggested they approve this

item.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION THREE FOR REDWIRE.**

Chair Holt said she thought the Havana library had been given to the City years ago and Mr. Collins said the County still took care of it. Chair Holt said they needed to look at the contract.

#### **COUNTY ADMINISTRATOR**

##### **26. Update on Various Board Requests**

Mr. Presnell said there was some interest in dental equipment in the Quincy and Chattahoochee health departments and one would be coming before them soon. He explained the School Board was starting a dental program at the middle school in Havana and was interested in one of the chairs from the Chattahoochee health department to do some educational things.

Mr. Presnell said he had dates for them to remember:

July 17<sup>th</sup> was the tour of economic development sites starting at 9:00 a.m.

July 23<sup>rd</sup> budget workshop was scheduled at 4:00 p.m. and a ceremony at the Courthouse starting at 3:30 for the new Veterans van at the Courthouse.

He then said he went to the July 4<sup>th</sup> in Chattahoochee and they had great activities and commended Chattahoochee Main Street for the effort they put forth there.

Chair Holt asked about the dental equipment and asked if possible that they get a dentist and Mr. Presnell said that he was negotiating for a dentist at the Quincy site.

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

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

Commissioner Morgan said if they had equipment available for use and the citizens could benefit from, it should be used and thought the equipment in Chattahoochee that he was referring to at the school, they would be performing services for the children also and would be an added benefit and felt the County did not need to give up ownership of the equipment. He said at the appropriate time he had a question for the attorney.

#### **COUNTY ATTORNEY**

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

Mr. Weiss said he would respond to Commissioner Morgan's question regarding the dental equipment first.

Commissioner Morgan asked if they had other people using the equipment, they needed to make sure in the Agreement the Board did not assume any liability from their actions as a result of exams from the equipment.

Mr. Weiss responded that if they were leasing the equipment to a private party it would have to be publically bid.

Commissioner Morgan also pointed out there could be expensive moving costs in moving the equipment.

Commissioner Morgan asked the Attorney regarding the tour that was scheduled for the 23<sup>rd</sup>, he asked if there were any issues and asked him to talk to Sunshine Law and what could be discussed and if someone showed up and wanted to ride on the bus to make sure they were covered.

Mr. Weiss said it had been noted but was not technically a public meeting and if someone showed up and wanted to ride on the bus and there was space, they were allowed to do so. He advised the Board members that they could not discuss anything that might come before them for action at a public meeting amongst themselves.

Commissioner Morgan then asked that there was a lot of information received by the Board members by email from the Administrator, Staff, etc. and if there was a comment, they need to be careful not to reply to everyone, only reply to the sender.

Mr. Weiss then gave an update on the Gretna racing appeal and said that DPBR had filed a Motion for Rehearing and that was pending and an Opposition had been filed with regard to that Motion and the Court has not yet ruled on it.

Mr. Weiss then said the Hospital lease has come up several times and they were not opposed to revisiting the terms of the lease and had discussed various ways to do so, one being a workshop or to allow Mr. Glazer to approach the Hospital with items that could be targeted and amended.

Commissioner Taylor felt it better to look over the contract and workshop it first.

Commissioner Viegbesie said he was glad to hear of that direction and added that the hospital was getting too much out of the County and too little was coming back to the County.

Chair Holt asked Mr. Presnell to schedule a workshop regarding that.

## **DISCUSSION ITEMS BY COMMISSIONERS**

### **28. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

#### **COMMISSIONER ANTHONY "DR. V" VIEGBESIE, PhD, District 2**

##### **CRPTA**

Commissioner Viegbesie said they would be working on a Transportation plan update in preparation of updating the Comprehensive Plan and at the last CRPTA meeting he requested that they provided the County with general planning consultants to help conduct with the transportation technical assistance in the update. He added this service was provided by specialists and cost upwards of \$21,000 and he was able to get CRPTA to fund the service. He said the County only had to put together a plan on how the money would be used. He said this has also

been offered to Jefferson County and he has asked the County Administrator to reach out to the Jefferson County to put together a plan so it could be provided to CRPTA for their September meeting.

He also added that at the last meeting, he looked at the Transportation project and was not very satisfied because he did not see many Gadsden County roads on it and asked before the approval of the 2017-2021 list, that the CRPTA planner to meet with the County Administrator as well as the Transportation Director to explore some of the roads in Gadsden County and have the roads added hopefully to the list.

#### **Animal Control**

He said he was receiving calls regarding dog issues and complaints about street dogs.

#### **Job Announcements**

He said there was a current job opening for Operations Supervisor and asked for clarification so when someone looked at the job description, they would know exactly what the position was, the pay was and said the one advertised simply had job title, position number, Public Works, the salary range and when the position closed and had no description of what the position was. He suggested when they were advertising maybe something could be forwarded to churches across the County.

#### **COMMISSIONER GENE MORGAN, District 3**

Commissioner Morgan had no comments.

#### **COMMISSIONER SHERRIE TAYLOR, District 5**

Commissioner Taylor said she wanted to put the additional bid for striping in the form of a motion.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO BRING THIS ITEM BACK REGARDING A SEPARATE BID.**

She said she had been asked questions and had no answers regarding the Gadsden County Health Department and asked if they were actively looking for a director and how it was progressing.

Mr. Presnell said there was an active search going on and they were interviewing for a new Director and were being handled through the Department of Health and not the County.

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

#### **COMMISSIONER ERIC HINSON, Vice Chair, District 1**

Mr. Weiss said that he forgot to inform the Board they had received a response from Havana Heights' Registered Agent and their response was not what they wanted and said they said they were doing what they did for safety reasons because of the drug use and prostitution going on in the parking lot and they claimed it was safer for them to handle it that way instead of opening up the parking lot. He did add that the response said they would be happy to sit down and discuss it with them. He added the good news was they now had someone they could talk with but bad news was this was not the response they were hoping for.

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

**COMMISSIONER BRENDA HOLT, Chairperson, District 4**

Chair Holt asked that Mr. Presnell advertise board positions.

Commissioner Morgan felt it was critical when they advertise to include basic requirements because people might volunteer to serve and might be unsure of what they were to do.

**Emergency Management**

She said she was at the planning council meeting at Pat Thomas Academy and they may need to look at Emergency Management and what the County wanted to do with it.

Commissioner Hinson said he had heard rumors that Major Shawn Wood was retiring in October and Mr. Presnell said that started the conversation and it was overheard at the planning council that Major Wood would have his time in in October and Mr. Presnell said he had discussed it with Major Wood if it had been announced that they did not want to hold the summit here anymore and he had not decided at this time his future plans. He did admit to making the statement of not having this again because of the frustration of everyone not agreeing and the criticism received.

Commissioner Hinson suggested when the time came to do a national search because this was “a big time position”. Mr. Presnell said when it did happen, they needed to be on top of it, but under current arrangements, the Sheriff did the advertising and selecting and the Board was required to confirm the appointment.

Commissioner Viegbesie said it was his understanding from one workshop the Emergency Management was under the County Commission and not the Sheriff and Chair Holt stated that was correct.

Commissioner Taylor said she was leery with the Emergency Management falling under the Commission because of lack of expertise and if something devastating happened, there was no one with experience, knowledge and resources to handle.

Commissioner Hinson said the Sheriff’s Office was a tiny piece to Emergency Management.

Chair Holt asked if any way could look at other auction information and getting it out to the public. Mr. Presnell said the website was a tool along with the County’s Facebook page and Twitter account.

Chair Holt then mentioned the negative press that was on the television about the flyers at her business and asked that everyone please get along and added that she turned everything over to law enforcement.

**COMMISSIONER ERIC HINSON, Vice Chair, District 1**

**RECEIPT AND FILE**

**29. CRMC 2015 Community Report**

**UPCOMING MEETINGS**

Gadsden County Board of County Commissioners  
July 7, 2015-Regular Meeting

30. July 21, 2015, Regular Meeting  
July 23, Budget Workshop

**MOTION TO ADJOURN**

**THERE BEING NO MORE BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 9:22 P.M.**

**GADSDEN COUNTY, FLORIDA**

---

**BRENDA A. HOLT, Chair**

**ATTEST:**

---

**NICHOLAS THOMAS, CLERK**

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON JULY 21, 2015 AT 6:00 P.M., THE  
FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
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**

Chair Holt called the meeting to order at 6:00 p.m., asked for moment of silence and then led in the Pledge of Allegiance to the U.S. Flag.

**AMENDMENTS AND APPROVAL OF AGENDA**

Mr. Presnell stated he had no amendments to the Agenda.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS WRITTEN.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

There were no awards or presentations.

**CLERK OF COURTS**

Mr. Thomas was present and had nothing to report.

**CONSENT**

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS WRITTEN.**

**1. Approval of Minutes**

- April 21, 2015 Regular Meeting
- May 5, 2015 Regular Meeting

**ITEMS PULLED FOR DISCUSSION**

There were no items pulled for discussion.

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

**Rodney Moore, 735 Deerwood Circle, Quincy, FL**, appeared before the Board and spoke concerning the drug "Molly" and the bad effects it was having on this County. He asked the Commission to pull people together to form a body to help solve the problem.

Chair Holt asked him to schedule a meeting with the Administrator because when something came to them in this fashion, they were unable to discuss it or take action on it.

Commissioner Taylor asked if at the end of the meeting during the "Commissioner Concerns" they could address the issue.

**Desmund Crayton, 3555 Commonwealth Blvd. Tallahassee, FL, Boystown of North Florida**  
(request to Speak was turned in late)

## **PUBLIC HEARINGS**

### **2. PUBLIC HEARING: To consider approval of Skyway Towers, LLC Conceptual/Preliminary Site Plan (SP-2015-01) with deviations to erect a 250' self-supporting Tower at 364 Old Federal Road on Tax Parcel ID #4-01-1N-5W-0000-00333-0200**

Mr. Presnell introduced the above item and said it was to approve the conceptual/preliminary site with four deviations to allow a 250-foot self-supporting tower at 364 Old Federal Road and Planning and Zoning approved this unanimously at their June 11<sup>th</sup> meeting.

Chair Holt stated it was a public hearing and then asked if there was a presentation.

**Belinda Bodie, Skyway Towers, 1022 Highland Colony Parkway, Suite 202, Richland, MS, 39152**, appeared before the Board to address questions the Board had and was sworn in by the Deputy Clerk. She informed the Board members they had tried to situate the tower as far back and meet as much of the Ordinance as possible and said the carrier was Verizon and they were trying to fill the gap in the service.

Commissioner Viegbesie asked if this tower was available to other cell phone companies to have access to it and Ms. Bodie responded yes, it was available for Verizon and three additional carriers should the need for them arise.

Commissioner Morgan asked where the next closest tower was located and she said there was one that was privately owned by the gas transmission company and they did look to co-locate on their tower but they do not open their towers up for outside customers.

Chair Holt asked if there were any comments in favor or against this project from the public and there was none.

Commissioner Taylor said she did see the Citizens Bill of Rights meeting was held and there were questions asked and answered and she was ready to move.

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

Commissioner Hinson asked if there had to be 4 votes in favor for it to pass and Chair Holt stated no, they were not changing the zoning, they were approving the tower. He also asked that for public hearings there be a workshop held before meetings, Chair Holt pointed out public hearings had to be held at 6:00 but he could contact anyone if he had questions.



Mr. Weiss pointed out they had to be careful with quasi-judicial hearings and they should not have ex-parte communications and anything that would impact their decision should happen at the public hearing.

**3. PUBLIC HEARING: For Transmittal of the amendment of the Future Land Use Element of the Comprehensive Plan to the Department of Economic Opportunity for Review**

Mr. Presnell introduced the above item and said it was for the process of the amendment to the Future Land Use Element of the Gadsden County Comprehensive Plan to transmit the proposed amendment to the Department of Economic Opportunity for review and had attached a strikethrough and underlined copy.

**Allara Gutchner, Planning and Community Development Director**, appeared before the Board and explained the item and stated it was an update to the Comprehensive Plan, specifically to the Future Land Use Element and was a required element by statute.

Chair Holt said she wanted to applaud the Planning and Zoning Commission regarding this matter and that it was a clean-up and then asked if there were any questions or comments.

Commissioner Taylor said there were two versions of the Ordinance/amendment and this was more critiqued and more narrowed down and the first one had language dealing with mining this had less information and the language was no longer there and was concerned they were leaving out imperative language that should be included with the restrictions on mining.

Ms. Gutchner said she assumed Commissioner Taylor was referring to the current document that did have more language regarding several issues and some were repetitive and located sporadically throughout the element and now were located in one concise area of the plan. Chair Holt asked if there were any other comments and there was none.

**Larry Ganus, 2174 Frank Smith Road, Quincy, FL**, appeared before the Board. He said he was on the Planning Commission with this first began last year and since he was no longer on the Planning Commission, he was still attending meetings and felt the Planning Commission had done a good job in amending the land use element. He said there was one item he failed to get traction from the Planning Commission on and it was the issue of clustering neighborhoods in a new development. He asked that they give consideration to add that back in.

**Mike Dorian, 145 Alligator Run, Quincy, FL**, appeared before the Board and said he had been following the Future Land Use plan and wanted to echo what Mr. Ganus had to say that clustering was good idea and could more easily put in water and sewer lines if the homes were clustered.

**Ed Allen, 268 Chiquapin Way, Quincy, FL**, appeared before the Board and was here to speak regarding the mining issues and said Ms. Gutchner and the lobbyist for the mining industry held a meeting without any notice to public and if it was not illegal it certainly was unethical. He said "like Larry, I was on the Planning Commission and put this together with the consultants that y'all paid over \$200,000 to have it done. We had 33 pages, right now there are eleven and you know someone cut something somewhere and it was not just the mining issues, it was other issues and I just wanted to say that I am against this going forward and I think they need to take

it back and revisit it.

**Darrin Taylor, 215 South Monroe Street, Suite 500, Tallahassee, FL**, with Carlton Fields, certified planner, represented Anderson Columbia and BASF, appeared before the Board. He said he had worked actively with the Planning Commission and staff and their initial issue was to keep everything that was in the plan now, but later realized what the goal was and wanted to streamline the plan. He said he supported the amendments that were before the Board now. He said the one exception was because of the fact that language staff proposed on the vesting issue, they added language to clarify the approach to be used if they already had mining in place and was actively mining but not shown on the land use map. He said the language was now “tighter” than the language that was in the existing plan.

Commissioner Viegbesie said he tells his students that the quantity of words used did not change the quality of the words.

Commissioner Morgan had question for Ms. Gutcher and she returned to the podium. He asked about the clustering and asked her to explain. She said “clustering” was a planning concept the Comprehensive Plan might give certain density and because in Gadsden County because there was no zoning, there was not the added layer of regulation, only land use. She added that clustering was typically handled in the Land Development Zoning regulations and was something that could still be included in the Land Development Code. She further explained that this Comprehensive Plan had minimum lot size requirements and the clustering division was required in order to cluster because the Comprehensive Plan said there had to be a minimum of five acres per unit and that language was removed.

Commissioner Taylor asked about the comment made regarding concerns where meeting was held with mining without public involvement and she said planning commission asked her to meet with planner and come back with language and nothing underhanded.

**COMMISSIONER VIEGBESIE MADE MOTION TO ADOPT OPTION 3, BEFORE SECOND MR. WEISS STATED FELT SHOULD BE OPTION 1. COMMISSIONER VIEGBESIE AMENDED MOTION TO ADOPT OPTION ONE AND COMMISSIONER MORGAN MADE SECOND. THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE ITEM. COMMISSIONER TAYLOR OPPOSED.**

#### **GENERAL BUSINESS**

- 4. Approval of Resolution Instructing the Tax Collector Not to Mail Tax Notices of \$10 or less and for the Property Appraiser Not to Make an Extension on the Tax Roll for any Parcel/Account (Real, Tangible Personal Property, Centrally Assessed and Mineral Rights) for Which the Tax Would be for an Amount of \$10.00 or Less, as Provided by Florida Statute 197.212, effective beginning with the 2015 Tax Roll; and Approve a Policy Whereby the BOCC Does Not Apply for Tax Deeds on County-Held Tax Certificates on Property Valued Less than \$5,000 on the Property Appraiser’s Most Recent Tax Assessment Roll, as Provided by Florida Statute 197.502(3), Effective Immediately Beginning with the 2009 County-Held Tax Certificates**

Mr. Presnell introduced the above item and said the Tax Collector, Dale Summerford, was there to explain the item.

**Dale Summerford, Gadsden County Tax Collector**, appeared before the Board to explain and

said this pertained to the collection of property taxes and said it was starting to cost more to collect delinquent taxes than was worth and briefly read the agenda request to help explain what he was asking them to do. The Resolution, he explained, would instruct the Tax Collector to not mail tax notices of \$10.00 or less and for the Property Appraiser not to make an extension on the tax roll for any assessment on tangible, personal property, real property, centrally assessed and mineral rights.

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

He said it was provided for by statute and several counties have it in place. He said the other request was for approval of a policy whereby a Board (primarily Clerk Thomas and himself) would do this every year for them. He said the Board would not apply for tax deeds on county-held tax certificates on property valued less than \$5,000 on the property appraisers most recent tax roll and it was provided for by statute. He added that tax notices were mailed in November and were delinquent on April 1<sup>st</sup> where interest and penalties would accrue.

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

In May, the parcels are advertised in the newspaper at a cost currently of \$11.00 per parcel and tax certificates are then sold on unpaid parcels and the ones not purchased are struck off to the County and become county-held tax certificates. Then, he said, within seven years, the County is required by statute to apply for tax deeds on the county-held tax certificates. He said the expenses have gone up with the title searches that have to be done, advertising, sheriff service fee and certified mail fees. He added that Clerk Thomas and he were having to deal with this and when the property goes up for sale on the Courthouse steps and no-one bids on it, the property would then go on a list of lands available for taxes, stays there for three years and if no-one buys it, it then becomes county property. He added there were quite a few minerals rights notices that have been mailed out and are returned unclaimed because the owners have died. He further stated it was not cost effective to apply for tax deeds on the less desirable properties and with the statutes allowing for this Board to decide to elect to non-desirable properties less than \$5,000 would be saving the County money. He explained that adopting the resolution would save costs.

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

Commissioner Viegbesie complimented him on the presentation and asked what happened to the homeowner that might have forgotten. Mr. Summerford said fortunately that has not happened since he and Mr. Thomas have been in office.

Commissioner Hinson asked Mr. Presnell if there were any pros or cons. Mr. Presnell stated he had met with Mr. Summerford and said there was a financial benefit to the County in doing this. Commissioner Hinson asked Mr. Weiss questions and he replied he saw no red flags.

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

Mr. Summerford said Florida had the best process and it was set up to help the property owner first and the process worked.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**5. Approval of Resolution 15-005, To Support the Move to Amend Campaign to Call for an Amendment to the Constitution to Abolish Corporate Personhood and the Doctrine of Money as Speech and Return our Democracy, or Elections, our Communities to America's Human Persons and to Thus Claim our Sovereign Right to Self-Governance**

Mr. Presnell introduced the above item and said this was for approval of Resolution 15-005 to Support the Move to Amend Campaign to call for an Amendment to the Constitution to Abolish Corporate Personhood.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**6. Approval of Millage Rate for TRIM Notification and Set the Date, Time and Place for the Public Hearings to Adopt the Fiscal Year 2015/16 Gadsden County Budget**

Mr. Presnell introduced the above item and said was for approval of Option 1 for the millage rate for Truth in Millage (TRIM) notification.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**7. Discussion of Emergency Management Agreement**

Mr. Presnell introduced the above item and this item was for discussion of the Emergency Management Interlocal Agreement.

Chair Holt stated asked that this be brought back for a workshop.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM FOR A WORKSHOP.**

Commissioner Taylor said there were people in the audience that might want to speak.

**Major Shawn Wood, Gadsden County Sheriff's Department,** appeared before the Board and said they agreed with having a workshop.

Commissioner Hinson asked him to discuss highlights.

Commissioner Taylor said Major Wood has been leading Emergency Management and understood he would be retiring soon. Major Wood stated he was entering the DROP program. Commissioner Taylor asked how this program would proceed without his involvement.

Commissioner Viegbesie said he felt a workshop would enlighten them as to what Emergency Management did and said it did not matter who headed it, but who ran it.

Chair Holt said this would be agendaed.

Commissioner Morgan asked if the Sheriff appointed the Emergency Management director and

was told no, the Sheriff recommends someone and the Board approves the Director.

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

**8. Appointment to the Circuit 2 Alliance Community Action Team**

Mr. Presnell introduced the above item and said the Board needed to appoint someone to the Circuit 2 Alliance Community Action Team.

Commissioner Hinson volunteered.

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

**9. Appointment to the CareerSource Capital Region Board of Directors**

Mr. Presnell introduced the above item and said this was for appointment to the CareerSource Capital Region Board and said Chelsea Douglas was nominated by the Chamber of Commerce for this position.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 4-0 TO APPROVE CHEELSEA DOUGLAS TO THIS BOARD.**

**10. Request Approval to Award Bid No. 15-12 for the Fence Repair at the Gadsden County Jail**

Mr. Presnell introduced the above item and said was for approval to award Bid No. 15-12 to G and S Fence and Deck, LLC, to replace the existing ties with security ties on the entire perimeter and cross fencing at the Gadsden County Jail.

**MOTION TO APPROVE WAS MADE BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN. BEFORE THE VOTE WAS TAKEN, CHAIR HOLT MADE COMMENT.**

Chair Holt said she would like to bring this back to look into an additional fence and look at costs of same at Thursday's budget meeting.

Commissioner Hinson questioned if local bidders were not available and how it was bid out.

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

Mr. Lawson said it was advertised in all three local papers and was placed on the website.

Commissioner Hinson asked if anybody in Gadsden County could do this and Mr. Presnell there was no-one in an established business or they would have received an invitation to bid and also said it was specialized because the ties they were replacing were made for corrections. Commissioner Hinson said it was "hard to believe that Gadsden County of all places don't have a fencing business".

Mr. Lawson said if they (businesses) were on the vendor list, they were sent an invitation, otherwise they advertise per the policy

Mr. Presnell explained the number of ways businesses could get on the vendor list.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

**11. Thomas McKinley, Jr., ET AL Parcel ID No.: 2233N4W0000001210400 Code Enforcement**

Mr. Presnell introduced the above item and said it was regarding the correction of a code violation on the above property.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**12. Approval to J.B. Cowell Contracting and D&J Enterprises, Inc. for Emergency Debris Management Services**

Mr. Presnell introduced above item and said it was for approval to enter into a contract with J.B. Coxwell Contracting and D & J Enterprises, Inc. for Emergency Debris Management Services.

**UPON MOTION BY COMMISSIONER MORGAN FOR OPTION ONE AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**13. Authorization for Chairperson to Sign the Advertising Grant Program Letter of Agreement to Receive the Visit Florida \$2,500 Grant for the Tourist Development Council**

Mr. Presnell introduced the above item and said it was for authorization for the chairperson to sign the Visit Florida Advertising Grant Program Letter of Agreement for the Tourist Development Council and the amount of the grant was \$2,500.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**14. Request Approval to Sell a Parcel of County Property**

Mr. Presnell introduced the above item and said it was to seek approval to sell a piece of property owned by the County that was located on Archie Jackson Road.

Mr. Weiss said he was asked to prepare a deed and why a real estate agent was involved.

Mr. Lawson said "David, if you recall when we first got interest in trying to sell some of this property, I told you that we had a realtor who solicited the property for the County and you said that we had to publically bid it. So, we got a realtor, you said we had to publically bid it, we publically bid the properties and the realtor is the one who basically does the contract and go through the closing. So that's why we are here where we are. So, I mean, what's, you said you don't know why we have a realtor. The Board approved a realtor several years ago to solicit the properties and tried to sell some of it. So I'm not understanding something here."

Mr. Weiss responded that he was confused and did not realize a realtor was already involved with the property and this was a perfect example of why the Board did not want to end up with a piece of property that was worth \$1,000. He said the realtor would make a (small) commission on the sale of this property, but a piece of property has been sold and the Board did not want to incur any unnecessary expenses. He further explained if there was a current contract with a realtor for this piece of property he was not suggesting that they do anything inconsistent with the contract, but suggested in the future they look at the properties on a case

by case basis, but for this amount of money it was not worth having a contract where the realtor would take ten percent.

Commissioner Morgan said he had no problem with contracting with a local realtor, they just needed the process reviewed and suggested if this did not need to be approved tonight, to have the contract drawn up to the satisfaction of the attorney and bring this back at the next meeting.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO TABLE THIS ITEM.**

**COUNTY ADMINISTRATOR**

**15. Update on Various Board Requests**

Mr. Presnell said there was a Corridor workshop scheduled for July 30<sup>th</sup> at 5:30 p.m. at the National Guard Armory for the north extension of the by-pass.

He told them on Thursday, July 23<sup>rd</sup> they will be introduced to the Veteran's Van at 3:30 at Courthouse and hope to get a photograph of them with the van.

He reminded them that on Thursday, July 23<sup>rd</sup> at 4:00 p.m. there was the budget workshop.

**COUNTY ATTORNEY**

**16. Update on Various Legal Issues**

Mr. Weiss said he had nothing to report.

Deputy Clerk Marcella Blocker pointed out a gentleman that wished to speak (filed Request to Speak late)

Commissioner Viegbesie asked if they needed to vote on a change in the agenda before he spoke because the agenda was approved. Mr. Weiss said yes, any deviation should have been approved prior to the beginning of the agenda and felt the prudent thing to do was to move for an addition to the agenda and make this Item 16A.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON TO AMEND THE AGENDA AND ADD ITEM 16A FOR THE SPEAKER REQUEST FORM, THE BOARD VOTED 5-0 TO AMEND THE AGENDA AND ALLOW THE CITIZEN TO SPEAK AT THIS TIME.**

**Desmond Crayton, Boystown of North Florida, 3555 Commonwealth Blvd., Tallahassee, FL** expressed interest in coming to Gadsden County to provide services for at risk kids in Gadsden County.

**DISCUSSION ITEMS BY COMMISSIONERS**

**17. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**COMMISSIONER GENE MORGAN, District 3**

Commissioner Morgan had nothing to report.

**COMMISSIONER ERIC HINSON, Vice Chair, District 1**

Commissioner Hinson said he had an opportunity to speak with Mr. Crayton and had reservations until he spoke with him.

He then thanked staff from Public Works all the way down to finance for being so helpful.

**COMMISSIONER ANTHONY "DR V" VIEGBESIE, PhD, District 2**

Commissioner Viegbesie said he had one major thing to discuss, the NACO conference and pointed out that Chair Holt was on the cover of the folder for the conference and felt we needed to host the County Prosperity Forum Innovative Economic Development in Small and Midsize Counties "Wealth Works" and said it was very enlightening. He said they were enlisting small and midsize counties where the forum could be hosted and members of the community could learn more on how counties prosper.

**COMMISSIONER SHERRIE TAYLOR, District 5**

Commissioner Taylor asked to form a citizen task force regarding the "Molly" issue and asked that it be a fair board.

**COMMISSIONER TAYLOR MADE A MOTION TO PUT TOGETHER A CITIZEN TASK FORCE AND SECOND WAS MADE BY COMMISSIONER VIEGBESIE, BEFORE THE BOARD VOTED, THERE WERE COMMENTS.**

Commissioner Hinson asked if this was the same issue with a board already set up (Criminal Justice System) and Commissioner Taylor stated she was talking about a smorgasbord of things.

Chair Holt said the Board could work hard to do what they could do, but did not want to highlight the "Molly" problem and make it look like it was the worst place in the world to be and those other counties take care of what they can take care of. Commissioner Taylor said the idea was not for the glorification, but to see if satisfaction for the people that were suffering and "was not for the limelight and if that was the intent, we would be defeated".

Chair Holt stated we did not want the County looked at negatively but this would be on the front page of the newspaper tomorrow.

Commissioner Taylor said she could not help what was reported in the paper but this was a huge issue and they needed to make good out of this and do it in such a manner that it would work.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 TO PUT TASK FORCE TOGETHER.**

Commissioner Taylor said they discussed the realtor tonight and Mr. Summerford talked about taking numerous pieces of property off the tax roll and they are not making more land and when properties were left unattended, it becomes an eyesore to the community and devaluates other property. Mr. Presnell said a lot of it was not real property but was mineral rights.



**COMMISSIONER BRENDA HOLT, Chair, District 4**

Chair Holt said it was her on the cover and she was arguing on the health committee to get discount prescription cards.

Said if could advertise for venders to sign up on website and may solve lot of problems.

Commissioner Holt said realtors were not being aggressive because it was not common property and when it was common property, and a different realtor had that piece of property, the one selling it would not get the ten percent, it would be split.

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

Commissioner Hinson said he knew they had honest people with the Tax Collector and the Property Appraiser but what if a new guy came in and saw where taxes had not been paid for three years on a piece of property and didn't have to pay taxes on that piece of property anymore. Chair Holt said that was a whole different subject.

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

He further stated that he wished the County Manager and the County attorney would do research on this and they needed all the information.

Mr. Presnell pointed out that was checked by the Department of Revenue and explained this would take less property, not more.

Chair Holt said she wanted to look at advertising for members for the different committees.

She also said she thought another fence was needed around the jail and wanted to look at it in the budget workshop.

She said during the tour of the County that was done for the economic development council, it was evident that businesses were expanding and coming to Midway, there was a tour of the mushroom plant, two new businesses that just opened in Gretna and said the Board needed to look at what was going on and they needed input regarding the comprehensive plan.

**RECEIPT AND FILE**

**18. a. Gadsden County Chamber of Commerce-Small Business Services Center Monthly Report**

**b. Mediacom**

**c. Havana Heights Apartment Letter**

**UPCOMING MEETINGS**

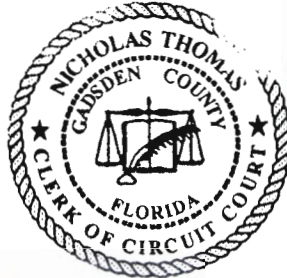
- 19.**
- July 23, 2015 Budget Workshop
  - August 8, 2015 Regular Meeting
  - August 18, 2015 Regular Meeting

Gadsden County Board of County Commissioners  
July 21, 2015-Regular Meeting

**MOTION TO ADJOURN**


THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 8:23 P.M.

GADSDEN COUNTY, FLORIDA



  
BRENDA A. HOLT, Chair

ATTEST:

  
NICHOLAS THOMAS, Clerk

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON AUGUST 4, 2015 AT 6:00 P.M.,  
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3-arrived late  
Sherrie Taylor, District 5-arrived late  
Nichols Thomas, Clerk  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE**

Chair Holt called the meeting to order at 6:00 p.m., asked everyone to stand for a moment of silence.

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

She then led in 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 Holt asked if there were any amendments to the Agenda. Mr. Presnell said he would like to add Item 1a Legislative Report to the agenda.

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

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Riparian County Stakeholder Coalition Sustainable Water Management Plan**  
**(Chad Taylor, Riparian County Stakeholder Coalition)**

**Chad Taylor, Riparian County Stakeholder Coalition**, appeared before the Board and gave a brief update.

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

**1a Legislative Report**

Mr. Presnell introduced the above item.

**Al Lawson and Chris Doolin, Lobbyists**, appeared and Mr. Lawson spoke to the Board and gave a brief Legislative Report to the Board concerning the Legislative Session and said Gadsden County had a strong presence there. He said they were very successful in obtaining another \$250,000 to go with the previous \$250,000 for the Ag Center. He added that they were able to get funding for transportation projects, park projects and water projects and the only one that was vetoed was the Chattahoochee project that they felt was in a good position. He added they

were disappointed in the Medicaid cost share program that was taken from the budget as well. He also informed the Board that the Legislature would be meeting early and committee meetings would be starting in the early part of September. He asked the Board to prepare their legislative agenda early because Session would start in January and February.

Chair Holt asked if a workshop needed to be scheduled to prepare.

Chris Doolin appeared before the Board and said the budget process had moved up as well and agencies' budget requests needed to be submitted by September. He said the Board had "a pretty strong legislative agenda and setting your priorities is important". He also added there were some continuation issues, the Ag center project, but they had to get a handle on the Medicare cost share because it would start hitting them hard every year. He advised them to make sure their departments were getting the applications where they needed to be.

Commissioner Morgan stressed to Board the need to have the Administrator reach out to all the municipalities so they could move forward with their input.

Commissioner Hinson asked if they had looked at community centers. Mr. Lawson said they would look at whatever the County had down as a priority, but it was real difficult with community centers.

Commissioner Viegbesie thanked them both for their due diligence and good work.

#### **CLERK OF COURTS**

Mr. Thomas was present and had nothing to report.

#### **CONSENT**

**COMMISSIONER MORGAN MADE A MOTION TO APPROVE THE AGENDA. COMMISSIONER VIEGBESIE MADE THE SECOND AND ASKED TO PULL ITEM 2 FOR CLARITY. COMMISSIONER MORGAN AMENDED HIS MOTION TO REFLECT ITEM TWO BEING PULLED. COMMISSIONER VIEGBESIE MADE THE SECOND. THE BOARD VOTED 5-0 BE VOICE TO APPROVE THE AGENDA AS AMENDED.**

- 2. Request Approval to Renew the Collective Bargaining Agreement between IBEW Local 2152 and Gadsden County BOCC**
- 3. Approval of Signatures for Special Assessment Liens and Rehabilitation Contract-SHIP Program**
- 4. Request Approval of Title VI Nondiscrimination Policy and Plan**
- 5. Approval of Minutes**
  - a. May 19, 2015-Regular Meeting**
  - b. June 30, 2015-Special Meeting**

#### **ITEMS PULLED FOR DISCUSSION**

- 2. Request Approval to Renew the Collective Bargaining Agreement between IBEW Local 2152 and Gadsden County BOCC**

Commissioner Viegbesie said the IBEW was the local union group representing the Public Works Department and asked if there were other union groups representing the other professions in the County and if not, why not. Mr. Presnell said IBEW was the only union and they represent the non-supervisory personnel at the Public Works Department.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

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

**PUBLIC HEARINGS**

**GENERAL BUSINESS**

**6. Selection of Legal Services for Gadsden County BOCC**

Mr. Presnell introduced the above item and said it was for selection of legal services.

Commissioner Viegbesie said they (the Board) had talked quite a bit about this item and said “I do not have a dog in this hunt”. He said the evaluation committee, in using the criteria listed in the RFP to evaluate each firm, listed the firms that met criteria and commended and applauded the committee for doing a stupendous job. He added that to be equitable and stay within the Equal Employment Opportunities guidelines as established by Title VII of the 1964 Civil Rights Act he felt they should, as a body, look at that item based entirely on the information submitted from each of the firms, information provided by the evaluating committee and they should be cost efficient in their selection their selection of the firm to be considerate of the taxpayers’ money and based on the information submitted, the most cost efficient firm is the Williams’s firm.

**COMMISSIONER VIEGBESIE MADE A MOTION TO ACCEPT THE FIRM WITH THE LOWEST BID PROVIDING THE SAME SERVICES AS LISTED IN THE MATRIX OF QUALIFICATIONS AND THE ABILITY PROVIDED BY THE EVALUATING COMMITTEE. COMMISSIONER HINSON MADE THE SECOND FOR DISCUSSION PURPOSES ONLY.**

Commissioner Hinson stated that after carefully looking at the situation, he concurred that the Williams’s firm was a sensational firm, but at the same time, too, like I said last time, I believe in doing what was right and doing what’s fair and I thought about something. I said, ‘Well, I really didn’t really get a chance to listen to the first one or one and a half and also when they called for the meeting to, for that date, but I showed up after I finished my other meeting just to show up, just to listen to one or two and it wasn’t fair for the guy like myself who scheduled the meeting wasn’t there to listen to all the attorneys that were there, and so, I thought about something. Well, maybe we need to a) I’m not sure how y’all will look at this, but ah, look at the other two options. Wait until I listen to other firms or, because I was the one that scheduled the meeting and I said when y’all came back to me, I said, that, I sent the letter, statement, back to them saying that we, if I’m not mistaken Mr. Presnell, I sent the letter back to you guys and I wasn’t able to make it to that meeting. But since someone decided to have the meeting anyway, I showed up because I know I was going to be a few minutes late. And so, ah, ah, that was a special meeting, so just wait until I listen to the other firm, I think it’s a fair thing to do, or b) We can make a vote based on what I believe today. So that’s just my humble opinion. Ah, so, if we

do the vote based on what I believe today, then maybe a different option, I'm not sure, but I like that option though.

Chair Holt asked if his second stood and he responded that his second stood "just for discussion, but my thing is that is, wait until we, at least until I hear the first one and a half first, because I don't think that's fair to them for me to make a decision based on ah, and I didn't get a chance to hear them speak. That's just my humble opinion about it, so, and I was the one who called the meeting and when they sent the word to me I said that, I sent a quick response to them that I would not be able to make it to the meeting." He went on to state that he wanted to be fair and he agreed he did not "have a dog in this fight here, it doesn't matter. It matter, I think all four attorneys is sensational, so whoever you get, you gonna have some great people anyway. Ah, but I think we can do that or, even with, I told somebody today I, I don't have no problem with David, I'm the only person on the board that like David."

**CHAIR HOLT MADE THE SECOND FOR APPROVAL.**

Mr. Weiss stated it had been properly seconded.

Commissioner Morgan said he heard Commissioner Viegbesie say "a penny saved is a penny earned and I agree with that and I can tell you that from my experience on this Board several years ago, a penny collected was two pennies spent. We had a serious issue of how much we were spending on legal services. So I want to remind the Board of that, I'm very appreciative of those who responded to our RFP, I think we were fortunate to have learned, ah, some really good things about the firms that applied here and I am sure some of them are very qualified to represent us. I also heard that 'I don't have a dog in the fight or I don't have a dog in the hunt', well we all have a dog in this hunt because we are representing the taxpayers of this County to hire a qualified firm at a reasonable price to provide quality services and I think it's very, very important to understand that because we hire three people in this position, one of those is the County Administrator and the other one is the County Attorney. I said three and I meant two. So, it's really important we take this very seriously. That being said, I am very appreciative of the representation we have received from Ausley McMullen during the past six years, in particular regarding how they have represented us through the opening and of the hospital and the growth of the hospital. I think we are very fortunate that David and the rest of the firm has represented us well and as long as, I've just always been a person that if we, if I'm getting good service for a reasonable price, I don't see a need in changing horses and that is what I would bring to your attention tonight. I think, again, We have gotten very good representation and is in no way a slight to any of those that responded to our RFP. But I would ask this Board to really consider that and to think down the road as we continue to grow with that Hospital, we need excellent, specialized legal advice and we've got the best in the business right now and we are getting it at a very good rate for his services."

Commissioner Taylor said two things came to mind, one was local; investment in those that were local because they helped the economy in several different ways by paying utility bills, rent, etc. She said Commissioner Morgan brought up fine points regarding the hospital. She said she was hoping the Board could look at having two firms, the local firm and using the representative (Mr. Glazer) to continue for the hospital to be able to have the best of both worlds. She said the contract she was looking at was \$10,000 higher than the contract Commissioner Viegbesie was looking at, but this Board had an opportunity to negotiate with

that firm to bring the dollars to where they were comfortable. She also concurred with Commissioner Hinson that he called the meeting and he missed two of the speakers. She also said there was no urgency in this because they had an extended contract with the current county attorney and needed to take their time to see if they could come up with a 5-0 vote around the board. She agreed with Commissioner Morgan regarding the dog in the hunt and said there was 47,000 plus people that were expecting them to hunt that dog and to an effective job of capturing him and make sure they did their due diligence.

Chair Holt said there was a motion and second on the floor and they must vote on that. She said they could only look at the RFP for what was turned in by that deadline, workshop was scheduled and they came to it and they had taken up their time. She further stated the taxpayers would get their dollars' worth because they were all credible law firms and the time had come to vote.

Chair Holt then asked for a roll call vote by district:

Commissioner Hinson voted no;

Commissioner Viegbesie voted yes;

Commissioner Morgan voted no;

Commissioner Holt voted yes;

Commissioner Taylor voted no.

Chair Holt said the motion for the Williams' Law firm failed.

**COMMISSIONER MORGAN MADE A MOTION TO RETAIN THE SERVICES FOR THE AUSLEY MCMULLEN LAW FIRM FOR A PERIOD OF THREE YEARS. MOTION DIED FOR LACK OF SECOND.**

**COMMISSIONER HINSON MADE A MOTION TO HAVE AN ADVERTISED WORKSHOP TO BE ABLE TO MEET THE TWO ATTORNEYS HE MISSED AT THE ORIGINAL WORKSHOP AND COMMISSIONER TAYLOR MADE THE SECOND. THERE WERE COMMENTS.**

Commissioner Viegbesie said his only concern was if they went back to the consent agenda items, they approved their request to approve tied to 6 nondiscrimination policy and plan of the 1964 Civil Right act. He stated the same act created Title 7 of Equal Employment Opportunity Commission and the process the Board was currently doing was borderline in violation of that process. He added that if they were going to redo it, all firms had to be given the same opportunity and information used by all firms had to be provided for all firms. He further stated that his understanding was they could not use what they knew of a firm against the firm when they did not have the same information on the other firms.

Chair Holt said Commissioner Viegbesie said very eloquently they were about to be sued because they had not re-advertised, sent out new RFP and they could only go by what was turned in that day.

Commissioner Hinson said if they did not understand what a person asked, they should ask for clarification because to make the assumption he was trying to go against the 1964 law was farfetched. He then withdrew his motion. Chair Holt asked if Commissioner Taylor would withdraw her second and she said yes, she had no other choice.

Commissioner Morgan said he did not think the Board was violating anything and their responsibility was to give the different firms equal opportunity to respond, but they were not limited in what they gather on their own as public information that they may want to use in their decision. He asked the attorney if he was correct.

Mr. Weiss said they could not discuss among themselves any decision that was to be made there, but they could not ignore their personal knowledge.

Commissioner Morgan said he appreciated Commissioner Viegbesie's argument but it was not accurate. He then stated he thought he could solve the problem.

**COMMISSIONER MORGAN MADE A MOTION TO HIRE THE SLIGER LAW FIRM IN PARTNERSHIP WITH THE NABLO GIBLIN & NICKERSON FOR GENERAL COUNCIL FOR THE BOARD FOR THREE YEAR PERIOD AND AUSLEY MCMULLEN TO HANDLE THE HSOPITAL ISSUES FOR THREE YEAR PERIOD. COMMISSIONER TAYLOR MADE THE SECOND. THERE WERE COMMENTS.**

Commissioner Viegbesie asked if that was a part of the Request for RFP that they were to get one firm for this service and another for other service. He said he was "a stickler for what the book says so when I refer to the Civil Rights Act and when people hear the word discrimination, I am, it just happened to be that one of those firms is majority African-American, if that firm were to be \$10,500 higher than any other firm, the firm with the lower bid, the lowest bid would be the one I would be selecting because the matrix said two of the firms meet all of the requirements needed in the evaluation and those were the Ausley Firm and the Williams firm. That's what the matrix that was provided to us said; these two firms meet every condition. The Sliger Firm, it says, meets capability requirements through partnership. So based on this evaluation, two of those that specifically meet the entire criteria. One met it though partnership and that one was \$10,500 more than the lowest firm that met all of the criteria. Now, I am going to go back to this, the only dog I have in this hunt is the taxpayers of Gadsden County. That is why I am saying a penny saved is a penny earned and that is what I am going by."

Commissioner Taylor asked him to understand what he was comparing with the retainer costs and said there was an area within each attorney's retainer costs where they could get surplus and if his retainer services were limited then all else would get charged additional for and they were not looking at everything from A through Z. She added that they needed to compare apples to apples. She pointed out that they had history and facts that they could put in place.

Chair Holt said she brought up what they should have discussed in the workshop and they needed to look at the retainers and they did not in the workshop. Chair Holt said another workshop would not do any good.

Commissioner Taylor said Chair Holt "was a seasoned Commissioner and you are well aware of the fact that every Commissioner on this Board has the authority and the right to turn down any bid at any time. We don't necessarily have to carry anything through; it is the will of this Board. We have that right. So, if what's happening before us now if we don't agree to it, if this gentleman says 'Hey, I want them to come back', then we offer all four the invitation to come back, not just the one or two he did not hear. If they choose not to, then we hear who comes back. But this Board has the authority and the right to say 'No, I don't want this set, if a majority



of three says they don't want it then we can toss this out. Now you also being a seasoned commissioner know this for a fact. You are also well aware that being sued is just part of the game. You can't stop it. They sue you know just because the way you part your hair. So it doesn't really matter to me, I don't want to be, don't get me wrong, I don't want it don't want to submit to anything of that nature. Be we have rights around this Board and we cannot be intimidated because of people threatening to sue. Let's make some intelligent decisions. You said this, one last statement, you said this, and yes you and I have battled, Eric Hinson, ever since you've been up here, but you have been consistent about something and I respect consistency. That if a person is not thoroughly vetted on a subject, bring it back for discussion and table it. But I've got a second out for your motion, I don't like those number of years because it scares me with those number of years, but I've got the second out and we can call for the motion."

Chair Holt asked the will of the Board, but added she was not in favor of three years and felt that was too long.

**COMMISSIONER MORGAN AMENDED HIS MOTION TO ONE YEAR AND COMMISSIONER TAYLOR AMENDED HER SECOND. COMMISSIONER VIGBESIE ASKED OR CLARIFICATION.**

Commissioner Morgan explained it would be for the Sliger Law Firm for one year for the Board and Ausley McMullen for the Hospital for 1 year and Commissioner Taylor said she made a second. Chair Holt asked the County Attorney if they were following the RFP and if they were covered legally and Mr. Weiss said yes.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 2-3 BY VOICE VOTE. COMMISSIONER VIEGBESIE, COMMISSIONER HOLT AND COMMISSIONER HINSON OPPOSED THE MOTION. MOTION FAILED.**

Commissioner Hinson said all he had was his integrity and mentioned things he had fought for in past and said that he was a "champion for the people".

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO CONTINUE THE CONTRACT WITH AUSLEY McMULLEN FOR ONE YEAR.**

**7. Appointment to the Apalachee Regional Planning Council**

Mr. Presnell introduced the above item and said it was for direction for the appointment of the Gadsden Municipal Representative position on the Apalachee Regional Planning Council.

Commissioner Viegbesie asked how many municipal elected officers expressed interest in serving and Mr. Presnell said a letter was received from the Planning Council and the agenda item was prepared. Commissioner Viegbesie asked how many of the municipalities were made aware of this and other opportunities to serve county-wide and said there was also a vacancy in CRTPA that would need to be filled and asked how the municipalities were informed of positions that needed to be filled.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION 1.**

**8. Appointment of Adrian Cooksey, DrPH, MPH as the Administrator of the Florida Department of Health in Gadsden County**

Mr. Presnell introduced the above item and said the Florida Department of Health in partnership with the Gadsden County BOCC provided public health services to the residents and visitors of Gadsden County. He further stated the Administrator of the Gadsden County Health Department was appointed by the State Surgeon General with concurrence of the BOCC. Their selected candidate was Adrian Cooksey, DrPH, MPH.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**Kim Barnhill, Deputy Secretary of the Florida Department of Health**, appeared before the Board and said Dr. Cooksey came with high recommendations and presented Dr. Adrian Cooksey Wilson to the Board.

Dr. Cooksey appeared before the Board and thanked the Board for this opportunity.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 TO APPROVE THIS ITEM.**

**9. Approval of Health Insurance Rates/Options**

Mr. Presnell introduced the above item and said this was to seek board approval to accept the Insurance Committee's recommendation of remaining with the current healthcare plan (Capital Selection) under Capital Health Plan and share the premium increase between the employee and the employer at the current percentage contribution.

**COMMISSIONER TAYLOR MADE MOTION TO APPROVE.**

Commissioner Hinson and Commissioner Viegbesie had questions.

**Arthur Lawson** appeared before the Board to address questions.

**COMMISSIONER VIEGBESIE MADE A SECOND FOR THE PURPOSE OF THE QUESTIONS.**

Commissioner Viegbesie asked if other healthcare provider plans had been made available to employees and why could they not provide employees with a list of other healthcare providers and let them choose the one that fit their plan and expenditures.

Mr. Lawson said the agent had surveyed the area for other insurance options and prices were not comparable to CHP and secondly, the County was not a very large group and they required a certain percentage of the workforce in order to provide the coverage that they did and if it were split the rates would probably be astronomical.

Commissioner Morgan said committee meets every year to discuss this matter and makes a recommendation to the Board. He asked if they had ever inquired about an agreement longer than one year and Mr. Lawson stated no because CHP rates their coverage annually and if they were locked in and rates fell they would be locked in the at higher rate. Commissioner Morgan then said they were required to have a certain number of employees enrolled in the plan to be

able to receive the rates they did and asked what the percentage was and the number of employees in the policy. Mr. Lawson said they had total group because they cover the Board along with the constitutionals and there was approximately 300 plus employees and did not include the families, but the percentage was between 75-80 percent.

Chair Holt said if they let employees opt out that would reduce the pool and Mr. Lawson said that would reduce the pool but as long as they stayed at a certain percentage, they would be ok.

Commissioner Hinson asked if they had thought about joining forces with the School Board and Mr. Lawson said that had been discussed with CHP but the pool makeup was different and could cause the County rates to escalate because they looked at the age factor as well as the retired teachers and was not feasible.

**CHAIR HOLT CALLED FO THE VOTE AND THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**10. Dental Equipment Lease Between Gadsden County BOCC and the School Board of Gadsden County**

Mr. Presnell introduced item and said it was for Board approval to lease dental equipment that was currently located in Chattahoochee at the Health Department and the School Board wanted to provide services at the Gadsden County Magnet School in Havana and expressed an interest in leasing some equipment.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIOENR VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

Commissioner Taylor asked to recognize School Board Chair Audrey Lewis and she appeared before the Board and thanked them. Dr. Shirley Aaron thanked the Board for making this possible.

**11. Resolution Requesting Land Use Agreement**

Mr. Presnell introduced above item and said this was a request to enter into a lease agreement that would expand Pat Thomas Park.

**COMMISSIONER TAYLOR MOVED FOR APPROVAL AND COMMISSIONER VIEGBESIE MADE THE SECOND. COMMISSIOENR MORGAN HAD QUESTIONS.**

Commissioner Morgan said he had looked through the item and said they would not be able to understand the costs to the County until they submitted the resolution. Mr. Presnell responded they were anticipating no costs to the County and added that at this point the State was giving one section of the property and the other section they wanted to do a joint project with the County.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**12. Request Approval to Extend the Current Lease Agreement with USDA for the FSA Service Office**

Mr. Presnell introduced the above item and said it was to extend the current lease agreement with the USDA for the FSA Building.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 TO APPROVE THIS ITEM.**

**COUNTY ADMINISTRATOR**

**13. Update on Various Board Requests**

Mr. Presnell said another budget workshop was scheduled for August 27<sup>th</sup> but the Chair and Vice-chair would be at the FAC meeting and recommended they have a special budget meeting on August 18 at 4:30 before the regularly scheduled meeting because they needed to vote on a few items.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE SEPCIAL MEETING AT 4:30 P.M. ON August 27<sup>th</sup>.**

**Legislative Agenda**

Mr. Presnell said the lobbyists touched on this matter earlier and they were working on it and it would be brought back, but to save time, if any of the commissioners had anything in particular, to please send him an e-mail or call him. Chair Holt said this was very important. Commissioner Hinson asked about infrastructure and if they could improve on infrastructure around the County and Chair Holt said they needed a project itself.

Commissioner Taylor said one thing they could do to make the County look more favorable and perhaps to get funding and projects looked at seriously was to bring in the sister cities and go through the Manager and send one message to Tallahassee.

Commissioner Morgan said that was a great idea but the issue with municipalities was getting everyone scheduled and together.

Commissioner Viegbesie said what Commissioner Taylor's was saying was a very good idea and believed there was a way to get around and get that done and said they could begin by having an annual retreat that involved Commissioners and elected officials of the municipalities and get one solid agenda to submit.

Mr. Presnell said he wanted to update them on the medical records they approved to be shredded had been completed as well as the x-rays and would now be working on getting some of the old metal and furniture out.

He told them this Friday at 6:00 p.m. at New Bethel AME, they were having an appreciation event for the summer youth and the liaisons would be in attendance as well.

Commissioner Morgan asked for clarification on the request for the date for the budget meeting and asked if he was asking for a special meeting as opposed to a workshop and asked for reasoning. Mr. Presnell said that the budget was basically done, but there were five outstanding items and with the special meeting they could vote as with the workshop they could not and

things would be settled going into the public hearing. Commissioner Morgan then asked for an update on the road paving project and Mr. Presnell stated it was out for bid and closed around the middle of the month and would come to the Board for approval around the end of August or first of September.

#### **COUNTY ATTORNEY**

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

Mr. Weiss thanked the Board for the opportunity to represent the Board for another year.

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

#### **15. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

##### **COMMISSIONER SHERRIE TAYLOR, District 5**

Commissioner Taylor commented on the legal services and said she appreciated the firm but was very definite on negotiations and her biggest concern was getting information back in a timely manner and said his maturity around the Board had shown itself to be commendable but still thought they needed to negotiate the contract regarding turn-around services.

##### **COMMISSIONER BRENDA HOLT, Chairperson, District 4**

Chair Holt said they needed to put information out for the general public to see concerning the Boards and Committees so they would know when positions were available and if they were interested in serving.

Commissioner Taylor asked if it was clear to Mr. Presnell to begin planning meetings with the sister cities to bring them together, while they may not be able to arrange it in time for this Legislative Session, they could begin for next year.

Chair Holt said other Counties do workshops all year with sister cities to know what they wanted to take to the Legislature.

Commissioner Hinson said in talking about the cities, he thought they could go back to what she brought up last year about meeting with the Chamber, TDC and the Industrial Development Board at one time to have one focus.

Chair Holt mentioned projects the Apalachee Regional Planning Council was doing: Liberty County and Jackson had projects, but Gadsden County had no projects.

Mr. Presnell asked that they recognize the guest from Gwen Graham's office.

##### **COMMISSIONER ANTHONY "Dr. V" Viegbesie, PhD, District 2**

Commissioner Viegbesie said he had nothing to report but was glad to see the road paving and resurfacing projects were about to get started.

##### **Commissioner Gene Morgan, District 3**

Commissioner Morgan said he had nothing to report.

**COMMISSIONER ERIC HINSON, Vice Chair, District 1**

Commissioner Hinson thanked Staff for doing a sensational job concerning the citizens with clearing the landscaping and everything else.

He thanked the Board and said it was one of the best Boards in America and they agreed to disagree sometimes and he sometimes gets excited and it was good to be passionate.

**RECEIPT AND FILE**

16. a. Florida Department of Transportation Letter  
b. Florida Department of Health-Gadsden County Quarterly Progress Report

**UPCOMING MEETINGS**

17. August 18, 2015-Regular Meeting  
August 27, 2015-Budget Workshop

**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 8:01 P.M.

GADSDEN COUNTY, FLORIDA

---

BRENDA A. HOLT, 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 AUGUST 18, 2015 AT 6:00 P.M.,  
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
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**

Chair Holt called the meeting to order at 6:03 p.m., asked for a moment of silence and then led in the Pledge of Allegiance to the U.S. Flag. A silent roll call was conducted by Marcella Blocker, Deputy Clerk.

**AMENDMENTS AND APPROVAL OF AGENDA**

There were no amendments to the Agenda.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS WRITTEN.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

- 1. Gadsden County Jail Review**  
**(Clemons, Rutherford & Associates, Inc.)**  
Mr. Presnell introduced the above item.

**Mr. Bill Rutherford, Clemons, Rutherford and Associates, Inc.,** appeared before the Board.

Mr. Rutherford thanked the Commission for the opportunity to look at the facility. He said they were asked to look at the facility, the site, walls, roof, floor, mechanical system, structure, devices to tell the condition it was in and below was a list of things that needed to be reviewed:

1. All aluminum ties need to be replaced with steel ties and that had been started.
2. Additional razor Wire installed on roof and razor wire at the top of the fence should be enhanced.
3. At the gates into the yard at a couple of specific areas a concrete strip (rat wall) should be installed At the base of the chain link gates.
4. A Corridor time monitoring system should be installed to verify correctional officer observation.
5. All unnecessary items in cell should be removed.
6. On the exterior of the building the caulking in the masonry joints has deteriorated and needs to be totally removed and replaced with new caulking.
7. A Maintenance Program should be developed for replacement of HVAC units in facility

- because of age and need for replacement in coming years.
8. A small number of cameras need to be installed giving officer in control room the ability to view all areas of the facility.
  9. Suggested that a roofing contractor evaluate roof.
  10. Posting of egress routes in case of disaster.
  11. Establish maintenance program for painting, floor care, etc.
  12. Most difficult issue facing the jail is area of the (2) Pod Control Rooms which need to be manned 24/7.

Chair Holt thanked Mr. Rutherford for looking at the jail and said they had just had a “lively” discussion in the earlier workshop concerning the budget and fencing at the jail. She added that extra fencing was a suggestion by someone in law enforcement. Mr. Rutherford said he met with staff at the jail and they requested that he recommend a fence on the outside and he said his opinion was the fence was not necessary. He felt an officer in the Control Room was watching the detainees and the cells and they knew who went out and who came in and there were officers in the rec yard watching the detainees when they were out there. He added that most prisons have a two fence situation because it was a prison and most jails have one fence because there was staff watching and they were out just at certain times. He said while he could not see adding an additional fence, he might be able to see adding additional razor wire at the top to try to stop someone from getting over.

Commissioner Viegbesie said his only comment was to thank Mr. Rutherford for a job well done and it was a “very thorough product”.

Commissioner Morgan agreed the report he did was brief and to the point and said based on what he had read, it was not a facility issue; it was “a people and process type issue” that could be addressed. He then asked when he was there, if Mr. Rutherford asked the number of inmates that was there that day and if it appeared there was an over-crowding situation. Mr. Rutherford said he did ask but could not recall the number of inmates on that day but there did appear to be adequate space for the inmates.

#### **CLERK OF COURTS**

Mr. Thomas said he had a few brief reminders. They still needed to amend the current year budget to take into account the refunding of the transportation bond and there was still a negative cash situation in the EMS fund and needed to be monitored and needed to be amended to add more cash.

#### **CONSENT**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS WRITTEN.**

#### **2. Approval to Accept the FY 2015 3<sup>rd</sup> Quarter Report**

#### **ITEMS PULLED FOR DISCUSSION**

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

#### **PUBLIC HEARINGS**



**3. PUBLIC HEARING (Legislative)-Adoption of Text Amendment to Subsection 5705 of the Gadsden County LDC to Allow “Outdoor Advertising Billboard Signs” on Lands Designated “Public” (LDR-2015-02)**

Mr. Weiss said this item was for the potential adoption of Text Amendments to the Subsection 5705 of the Gadsden County Land Development Code to allow outdoor advertising billboard signs on lands designated as public. He said the reason he wanted to speak before there was any discussion was research had been done and FDOT was prohibited from permitting signs in any zones that did not permit either commercial or industrial uses. He said in addition they were prohibited from permitting signs that are located in zones that had been designated in areas that the primary purpose was to permit signs. He further stated the proposal to include the signs that potential use in a public zone does not expressly permit commercial or industrial uses and felt in consultation with the Planning Director it would be a bit of a stretch to say that commercial or industrial uses are permitted in public future land use categories. He then said if they were to adopt this text amendment, it would be inconsistent with statutory scheme for permitting signs, and FDOT would not be able to permit the signs anyway, even if they adopted it and recommended against this amendment. He said aside from that, FDOT received substantial funding from the United States Department of Transportation and as part of that funding, they had to enforce the Federal Highway Beautification Act, which was the genesis of this requirement. He said if the United States Department of Transportation determined that FDOT was not doing what they were supposed to do in enforcing the Highway Beautification Act, US Department of Transportation could pull funding from Florida Department of Transportation, which if Florida Department of Transportation determined that the County played a role in having that funding revoked, FDOT could potentially pull funding from the County. He said having said all that, he recommended against the Text Amendment.

Chair Holt said they needed to make sure they followed all of the legal sides of everything they did. She said they needed to look at the item and make sure they looked at what the State statute said they could and could not do. She said she would like to ask a couple of questions and asked if someone wanted to put a billboard sign in a commercial area near the interstate, could that be done under the State Statute. Mr. Weiss said yes, but not under our Land Development Code currently. He added there were two layers, FDOT was the permitting authority that permitted the sign, but FDOT looks to see if the proposed sign was in a future land use category or zone that allowed commercial or industrial uses. He added that in the current land development code, they did not allow new billboards at all, it could be changed to allow in commercial or industrial zones as long as the primary purpose behind that was to not just permit signs.

Chair Holt asked as of this meeting in the Land Development Code, if it was permitted in commercial. Mr. Weiss said correct, the statute only dealt with whether or not FDOT was going to permit a sign and they would not permit a sign if it was not in a zone that did not allow industrial or commercial uses.

Commissioner Hinson asked if this was dealing with the Citizens Bill of Rights or just the Land Development Code. Mr. Weiss stated it was just the Land Development Code.

**Larry Ganus, 2174 Frank Smith Road, Quincy, FL**, appeared before the Board and spoke against the change in policy. He felt it was bad public policy to create a land use code that only applied to one large land owner and in this case, TCC was the only public land use category in the area along

Interstate 10 and would be producing a land development code just for them only. He added that in this case it could not comply with state statutes the way it was written and it would open or re-open the door for new billboards and asked them to keep in mind the vision for the County and what they wanted it to look like in years to come. He added that even if they were put in commercial or industrial areas, that would be all there would be along the highways. He also mentioned there were no limitation to the number of signs that could be placed on TCC property and no control of the content on the boards. He also told the Board members that Planning and Zoning had voted against this unanimously.

Chair Holt asked the TCC representative to come forward to present his proposal.

**Al Moran, VP Marketing and Communications, Tallahassee Community College**, appeared before the Board. He said this started with an approach from an individual that told them if they put two poles in the ground with a sign that could be seen either way they would get the equivalent of approximately \$300,000 in value over the course of thirty years. He went to the Economic Development Council, and presented the idea to them, said the signs could be shared, he could promote the new Gadsden Center and promote jobs for one-half a year, they would have the opportunity to promote tourism, job creation and there was no money value in this.

Chair Holt asked once he ran into the Planning Commission, did he have a chance to research any of their concerns.

Mr. Moran said yes and no, there had been different opinions that he had received, some of which they would never do, he respected the Planning Commission, and was the over-all good of the County. He said all they were after “was two holes in the ground”.

Chair Holt asked the County Attorney if they did that, there was nothing in place that said they had to limit the number and Mr. Weiss said the proposal would be to not limit the number and the number was limited based on FDOT standards. He said there was an exception for on-premises signs in terms of if all they were doing was putting a sign up promoting what you were doing on your property, then there was an exception to permit requirements in terms with FDOT permits. He said his understanding was there would be three signs, one promoting their business (TCC) and two others that would be potentially available for GCDC and also be used as revenue generating commercial signs to advertise for whomever.

**Kathie Grow, 465 John Yawn, Havana, FL**, appeared before the Board and said Mr. Ganus had said everything she wanted to say.

**Michael Dorian, 154 Alligator Road, Quincy, FL**, appeared before the Board and asked for point of order and asked if any commissioner had a conflict of interest and all said no. Mr. Weiss pointed out the conflict of interest was pretty high and there had to be a special private gain or loss that was well defined and not to just be affiliated with an organization. Mr. Dorian said he felt otherwise. Commissioner Viegbesie said he felt he was speaking about him and he has found there is no conflict of interest because he would have no personal gain just because he was a full-time professor of TCC. Mr. Dorian stated he was against it and would continue to fight.

Commissioner Hinson asked the reason for banning signs and Mr. Dorian said there were two signs on Highway 27 that went up within a couple of months of each other and Mr. John Yerkes made a

motion at a Planning and Zoning meeting and junior signs could have been chosen but they chose to ban billboards.

Chair Holt said when the request was made, they have to go back and look at the law because that was their right to do and she said she did speak with an attorney that specialized in zoning and said anytime and he did say when there was something dealing with property in a County Commission Meeting for public hearing, the property description needed to be read into the record. Mr. Weiss pointed out this was a legislative hearing and was not quasi-judicial.

**UPON MOTION BY COMMISSIONER MORGAN OF OPTION TWO TO DENY THE AMENDMENT AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE. MOTION PASSED TO DENY THE AMENDMENT.**

Commissioner Taylor said she agreed with Mr. Moran from TCC with the value they provide to County and thanked them for what they do and for county and did not want him to think that she did not appreciate or support what they were doing for the County.

Chair Holt asked the Attorney for clarification of what they could do on their property and Mr. Weiss stated there was an exception to the FDOT permitting for on-premises signs that they could solely promote or advertise what happened on their own piece of property but it would still have to be permitted under the County's Land Development Code.

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

#### **GENERAL BUSINESS**

**4. Update of Activities by RiverWay South A/C and Approval of Resolution 2015-007 Recognizing October at Explore Our Florida Month**

Mr. Presnell introduced above item and said was for approval of Resolution 15-007 to support October as *Explore Our Florida* month.

**Pam Portwood, RiverWay South AC Program Director**, appeared before the Board and spoke.

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

Chair Holt asked her how much County money they receive from the Counties and she responded they received \$5,000 from each of the contributing County partners and was able to leverage that with grants from Visit Florida, Department of Economic Opportunity and in-kind services from West Florida Electric, the Florida Wildlife and Conservation Commission totally approximately \$180,000. She also said they had been able to match every \$1 of local funding with more than \$6 from other funding sources to deliver a comprehensive and robust package of marketing and educational programs and materials. Chair Holt asked Ms. Portwood if a commissioner had something in their district that they would like to add to the brochure, how they would do that. Ms. Portwood responded that it went through the County's TDC to them and added that. She said each county had two board members and if there was something in their district, just let TDC know and it then goes to RiverWay South.

Commissioner Viegbesie thanked her for the presentation and said his question had already been

answered.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE FOR APPROVAL OF OPTION ONE.**

**5. Approval of Book Check and Detection Device Agreement with 3M Library Systems**

Mr. Presnell introduced the above item and said was for authorization of the annual service agreement for book check and detection devices to be provided by 3M Library Systems for the William A. "Bill" Library.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER TAYLOR, BOR BOEARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**6. Discussion of Citizen Task Force**

Mr. Presnell said this item was presented to the Board for discussion of a Citizens Task Force to convene regarding Molly and other community related issues.

Chair Holt said she had spoken with Sheriff Young and was informed they have Drug Task Force already.

Commissioner Viegbesie said he had the same understanding and felt they needed to work with the Sheriff's Office with the Task Force they already have in place.

Chair Holt said they had this conversation a few years ago and found there were liabilities with citizens because they were in the same communities with people that had the problems, but agreed with the expanding and whatever they could do to help.

Commissioner Taylor said this was what she had asked to bring back after a presentation from a citizen/deputy with the Sheriff's Office and agreed they should not duplicate the services but take an active role if the Sheriff's Office allowed them to. She added that she had an intense conversation with Major Wood and based on that, the task force was in the development stage and not at the level where they could start actually attacking some of the issues in the community yet.

Chair Holt said she felt it would be OK to have the Administrator contact the Sheriff's Office to get information for them or see what they could do.

**7. Value Adjustment Board Appointments**

Mr. Presnell introduced the above referenced item and said it was for Board approval of the attorney and appointed members to the Value Adjustment Board.

**COMMISSIONER HINSON MADE A MOTION TO REPLACE MARVA DAVIS AS ATTORNEY FOR THE VALUE ADJUSTMENT BOARD AND SECOND WAS MADE BY CHAIR HOLT. COMMISSIONER VIEGBESIE HAD COMMENTS.**

Commissioner Viegbesie said he had no problem with the motion but thought this was some of the appointments they discussed to advertise vacancies for volunteers to serve.

Chair Holt asked if this was time sensitive and Mr. Presnell referred the question to the Deputy Clerk. Mrs. Blocker explained she had received the dates from the Property Appraiser when the TRIM notices were sent out and an organizational meeting was scheduled for September 17<sup>th</sup>. Chair Holt asked if there was a certification the members had to do and Mrs. Blocker confirmed there was, everyone had to do the certification training and it was available online through the Clerk's website. Mrs. Blocker explained there needed to be two commissioners appointed, one of which needed to serve as Chair of the Board; the BOCC needed to appoint the Homestead Property Representative; the School Board would appoint a member of the School Board and the Commercial /Business Representative.

Commissioner Morgan asked Mrs. Blocker if everyone had been contacted and agreed to serve. Mrs. Blocker said she had not heard back from Mrs. Peeler at that time, Commissioner Taylor had opted out to let someone else serve and Mrs. Lewis had said that she was willing to serve.

Commissioner Viegbesie said to approve this item as presented was to approve the names and if the above people had not been contacted to determine if they were willing to accept the appointment, he did not think they could do that.

Chair Holt asked if she could call for the vote for the motion on the table, approve her and still look into the other appointees.

Commissioner Hinson offered to serve on the Board.

Commissioner Morgan felt it was a good idea to have "fresh faces" from the Commission on the Board.

Commissioner Taylor asked about the attorney and stated there was less than three weeks before the first meeting and felt unfair and may be an option to look at for the next year.

Commissioner Hinson stated it would take a "split second" to pass and said he took the test.

Mrs. Blocker stated it was on line and informed the Commissioners it would take longer than a "split second".

Commissioner Morgan pointed out they needed an attorney with a background in this and Commissioner Hinson stated she had the background that she had worked in local government.

Commissioner Morgan stated he was concerned about that and was not comfortable serving and would like to opt out.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 4-1 BY VOICE VOTE TO APPOINT MARVA DAVIS TO THE VALUE ADJUSTMENT BOARD. COMMISSIONER MORGAN OPPOSED.**

There was conversation among the Board concerning the appointees to the Board. Commissioner Taylor recommended giving Mrs. Blocker an opportunity to talk with the two appointees to see if they were willing to serve this year and to have this done earlier next year to adequately have everyone trained.

There was conversation around the Board as to who else would serve on the Board.

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

Chair Holt volunteered to serve on this Board.

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

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE COMMISSIONER HINSON, COMMISSIONER HOLT AND MARVA DAVIS TO THE BOARD AND PENDING AGREEMENT BY MARTHA PEELER AND SCOTT WATSON TO SERVE ON THE BOARD.**

#### **COUNTY ADMINISTRATOR**

##### **8. Update on Various Board Requests**

Mr. Presnell said on September 1<sup>st</sup> they have been asked to defend the Stevens school grant that was applied for and the Commissioners were welcomed to attend and would provide them with more details to them concerning the actual time and place.

He said they opened the road bids yesterday and would be on the next agenda. He said they had received the best asphalt bid in the past six to eight years at \$71/ton.

He further said the ad for the committees would be in the newspapers as well as the contractors ad was already in the paper and would keep them updated.

#### **COUNTY ATTORNEY**

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

Mr. Weiss said he had nothing to report but was available for questions.

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

##### **10. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

###### **COMMISSIONER ANTHONY “DR. V” VIEGBESIE, Ph.D., District 2**

Commissioner Viegbesie announced that he had been appointed to the NACO Agricultural and Rural Affairs committee.

He said another family lost their house to fire in the Dogtown area and they needed to be aggressive in providing fire service in that dead zone area of the County.

He further stated that being someone who teaches personnel, and they had jokingly talked about Mr. Lawson leaving soon, there was something called “succession planning” and that was a better way of dealing with filling positions where expertise was needed and felt they needed to plan for a replacement before he left.

He also mentioned the need to review items and schedule a workshop with the Hospital board and CRMC to review items of concern on the contract.

Chair Holt asked him what he wanted the Administrator to do and he said wait until the next meeting and he would get with Administrator on his thoughts concerning what they could be doing.

Mr. Weiss said before having a representative from CRMC come, suggested having a workshop with this Board and GHI Board and said felt it would be better beneficial to get concerns out and then approach CRMC

**COMMISSIONER ERIC F. HINSON, Vice Chair, District 1**

Commissioner Hinson said there was a situation with Capital CareerSource and Roy Moore where Capital CareerSource was requesting him to file a financial disclosure form and he had never attended a meeting and did not want to file the requested form. He stated the Board had recommended Mr. Moore and he had never served on the Board. It was explained that was a State law and the Board could not control that.

Commissioner Taylor said based on what Commissioner Hinson said, a letter should be drafted that he was appointed and never agreed to it and ask that Board for their direction. Mr. Weiss said they could send a letter stating that the Board appointed him without his knowledge or consent and felt Mr. Moore could state his position as to why he felt he was not obligated under the State statute to submit his financial information.

Commissioner Hinson asked that the Board do a Proclamation for Elder Lee Plummer.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE A PROCLAMATION FOR ELDER LEE PLUMMER.**

Commissioner Viegbesie said he forgot to ask for a Proclamation for Jerome Showers.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE A PROCLAMATION FOR JEROME SHOWERS.**

**COMMISSIONER SHERRIE TAYLOR, District 5**

Commissioner Taylor said an arm of the GCDC was being honored in Tampa for expansion and retention and hoped they could be recognized at a later date here for their achievement.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THEY BE RECOGNIZED AT A LATER DATE.**

**COMMISSIONER GENE MORGAN, District 3**

Commissioner Morgan said what Commissioner Taylor had brought up was a great example of GCDC and Mainstreet working together and to recognize them would be appropriate.

He said Commissioner Viegbesie had mentioned succession planning and the importance of that and he agreed and said he has had several conversations with the Administrator and felt it very important that they allow him to come to the commissioners individually regarding different ideas

as he moved forward. He said it needed to be thought through and be in a position to have two brand new people in the positions (the County Administrator's position) and they needed to take into consideration possible change in Board members as well.

**COMMISSIONER BRENDA A. HOLT, Chair, District 4**

Chair Holt asked to speak with Mr. Lawson and he stepped forward. She asked Mr. Lawson when they were discussing the Attorney Contract and with their Policy and Procedures if they needed to state why they did not go with the lowest bidder.

Mr. Lawson said the Board had discretion when they put out an RFP to decide who they wanted and part of the process after the decision was to allow the Administrator to negotiate it.

Mr. Weiss said as Mr. Lawson had stated, an RFP was different than a straight low bid. With the RDP they were looking for qualifications and not looking solely at the price.

**RECEIPT AND FILE**

**UPCOMING MEETINGS**

11. September 1, 2015-Regular Meeting-6:00 p.m.  
September 10, 2015-1<sup>st</sup> Public Hearing (Budget)-6:00 p.m.  
September 21, 2015-Final Public Hearing (Budget)-6:00 p.m.  
September 22, 2015-Regular Meeting-6:00 p.m.



Gadsden County Board of County Commissioners  
August 18, 2015 – Regular Meeting

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 8:01 P.M.**

**GADSDEN COUNTY, FLORIDA**

---

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

**ATTEST:**

---

**NICHOLAS THOMAS, Clerk**

**AT A REGULAR MEETING OF THE COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON SEPTEMBER 1, 2015 AT 6:00  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4-arrived late  
Eric Hinson, Vice Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
Sherrie Taylor, District 5-arrived late  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Vice Chair Hinson called the meeting to order at 6:02 p.m., asked everyone to stand for prayer and then led in 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**

Mr. Presnell said there were no amendments to the Agenda.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 3-0 BY VOICE VOTE TO APPROVE THE AGENDA AS PRESENTED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Recognition of Miss T's Sets, Havana, FL**

Mr. Presnell said there was a Proclamation to present to Miss T's Sets in Havana.

Commissioner Hinson read aloud the Proclamation and presented it.

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

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

**2. Recognition of Commissioner Eric Hinson**

Mr. Presnell introduced the above item and said it was recognition of Eric Hinson.

Angela Sapp and Sylvia Jackson appeared before the Board and recognized Commissioner Eric Hinson for his services at Gadsden Technical Institute and presented a plaque to him.

**3. Recognition of the City of Chattahoochee**

Mr. Presnell introduced the above item and stated it was recognition of the City of Chattahoochee and Ben Chandler and representatives of Mainstreet Chattahoochee came forward to receive the plaque.

**4. Recognition of the GCDC Business & Expansion Consortium**

Chair Holt presented a plaque to Rob Nixon and Beth Kirkland for recognition of the Gadsden County Development Council Business and Expansion Consortium.

Rob Nixon and Beth Kirkland spoke a few words.

**5. Proposals to Reduce Recidivism and Improve Mental Health in the Communities of Gadsden County**

Mr. Presnell introduced the above item.

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

**Victor Muhammad, Executive Director of Life Sciences of Washington, Inc.**, appeared before the Board and had a few words to say.

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

**CLERK OF COURTS**

Mr. Thomas was present and said he thought some of the Commissioners were aware that Gulf County had recently offered Rhonda Woodward a position as Finance Director and she accepted it last month. He then reintroduced the Commissioners to Helene Michaels, as she first started in 1993 with the Clerk's Office.

**CONSENT**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS PRESENTED.**

**6. Approval and Signature(s) for Satisfaction of Special Assessment Lien/SHIP Program**

**7. Approval of the State Housing Initiative Partnership (SHIP) Annual Report**

**8. Approval of Minutes**

- a. July 7, 2015-Regular Meeting

**ITEMS PULLED FOR DISCUSSION**

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

**PUBLIC HEARINGS**

**GENERAL BUSINESS**

**9. Approval of Interlocal Agreement Between Gadsden County BOCC with Local Municipalities and the Gadsden County School Board**

Mr. Presnell introduced the above item and said it was for approval of the Interlocal Agreement with the six municipalities and the Gadsden County School Board for road maintenance and special project activities.

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

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

**10. Additional Paragraph to Investment Policy**

Mr. Presnell introduced the above item and said the Clerk's Office was seeking to input two paragraphs recommended by the auditors and place them into the investment policy.

Chair Holt had questions for Mr. Thomas.

Mr. Thomas said the Legislature required all the Clerks of the State to develop policies as related to their role to the Board of County Commissioners and they did not conflict with any of their financial management policies that they had developed themselves.

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

He added that constitutionally the Clerk was the Custodian of the funds and they (Clerk's Office) amended the policy last year to bring it up to standards. He added they missed the two paragraphs and this satisfied the auditors and was taken straight from the statutes and brought the policy into compliance.

There was further discussion around the board.

Commissioner Hinson asked the attorney if there was anything they needed to be concerned with and Mr. Weiss stated no, as the Clerk had stated, the additions were straight from the statute.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**11. Approval to Write-Off Amount Due From Gadsden Hospital, Inc.**

Mr. Presnell introduced the above item and stated it was for Board approval to write off amounts that were given as "start-up" funds to Gadsden Hospital, Inc.

Mr. Thomas explained this was initially set up to be due from the hospital when it was initially established it was under the intention that they would take over the operation of the hospital and that never happened. He added that the County later gave them money after the hospital closed and after the hospital re-opened, GHA closed their account and returned to the County the \$13,000 they had left over and this was housekeeping to write-off the amount.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**12. Approval of Resolution 2015-009; Supporting Promoting Rural Economic Development**

Mr. Presnell introduced the above item and said this was for approval of Resolution 2015-009 to support rural economic development and joint efforts among the state's rural economic development organizations.

**Jim Brook, Executive Director for Opportunity Florida**, appeared before the Board and had a few words to say. He recognized Allara Gutcher and Antonio Jefferson for their hard work.

**COMMISSIONER HINSON MADE A MOTION FOR APPROVAL AND COMMISSIONER VIEGBESIE MADE THE SECOND. THERE WAS DISCUSSION BEFORE THE VOTE WAS TAKEN.**

Commissioner Hinson asked if the Senators could work with the Governor to let him know how important this was to small counties. Mr. Brook said their plan was to ask each county to provide a Resolution to the Governor in support of this. Commissioner Hinson asked him to quickly explain the “enterprise zone”.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

Commissioner Hinson said had breaking news, he had just learned that Mrs. Catherine James just passed away and asked for moment of silence.

**13. Approval for the Extension of the Contract for Marketing Consulting Services with Chisano Marketing Group for the TDC**

Mr. Presnell introduced the above item and said it was for approval of the extension of the contract with Chisano Marketing Group with the Tourist Development Council and for authorization for the Chair to execute the contract.

Commissioner Taylor said had questions concerning the contract and said it had 28 hours for \$2,500/month and after the 28 hours there were additional fees for the services rendered.

Mr. Weiss said this was an extension of the current contract, which had been bid last year with a provision for a one year extension.

Chair Holt said this was the best marketing firm she had seen.

Mr. Weiss said under the additional costs section, the reason this was put as it was, if not included within the 28 hours and additional, it went through the TDC first and then the Administrator would sign off on it.

Commissioner Viegbesie said it was his understanding this was extension of the current contract.

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

Commissioner Viegbesie asked the attorney if it was legally possible to alter the contract that was agreed upon there would be a one year extension upon the signing of the contract when it was originally signed in 2014.

Mr. Weiss explained they could not change it materially, but felt since both parties were entering into a new document and agreed to add that language; it did not materially alter the contract.

Chair Holt asked if they did the extension with the new language saying it must be approved by the TDC and the Administrator, would that need to come back to the Board after it went to him.

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

Mr. Weiss responded he felt they could approve it with the additional language and it could be amended and then go to them for approval.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE FOR APPROVAL OF THE CONTRACT WITH THE CAVEAT ADDED IN THAT IT GO THROUGH TDC BOARD FOR APPROVAL OF ADDITIONAL EXPENSES AND THEN FORWARDED TO THE ADMINISTRATOR.**

**14. Approval of the Agreement with the Statewide Guardian Ad Litem Office (GAL) for FY2016 for the Trust Fund OPS**

Mr. Presnell introduced the above item and said was for Board approval of the Agreement with the Statewide Guardian Ad Litem Office and for authorization for the Chair to execute the agreement.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIEM THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**15. Approval of Legal Services Contract for Gadsden County Board of County Commissioners**

Mr. Presnell introduced above item and said was for approval of the Legal Services Contract for the County.

Commissioner Hinson asked if there were any changes from last year to this year and Mr. Presnell said they had increased their retainer fee and they had negotiated it back to the current year's level and their hourly rate changed from \$175 to \$185.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**16. 2015 Paving Project-Bid Award**

Mr. Presnell introduced item and said was for approval to award the bid of the 2015 paving project to C. W. Roberts Contracting, Inc., the low bidder, in the amount of \$1,296,048.35.

Commissioner Morgan said he would make a motion to approve.

Commissioner Viegbesie asked for a change order for a specific project from District 2 to include St. Hebron Court at the end of Mary Brown Road.

Mr. Presnell said he would bring back a change order and asked if any of the other Commissioners had any minor changes, they could go on one change order and it would come back before the Board.

Mr. Weiss said if they could approve the item and the Administrator could check to confirm that was not included, and if not included and it would have to come back with a separate change order.

Commissioner Hinson said he had a question and said there might be commissioners telling the public inaccurate steps and for the record, “to put out there for Dr. V, Ms. Holt, whoever, to throw it out there for them, ah, in the City of Midway, how much space you have out there, how many, could we repave projects in the City of Midway, in the city?”

Chair Holt said they should have an agreement with them.

Mr. Weiss said the use of these particular monies from gas tax revenue had to go to roads that were in unincorporated areas.

Commissioner Hinson stated “We may have commissioners that’s maybe passing stuff along to other constituents, you know, so I was just curious about that because that was the first thing I said when I was looking at the roads, I had to, I see Curtis Young back there, we rode around. I said a lot of the area in Midway was incorporated so we probably need to do some training on roads for the commissioners so they know that we cannot nib and dibble into incorporated areas because we would get in trouble and go to jail for that...Before we start directing people on things like that we need to make sure we give them concrete, factual evidence on things like that because it’s not fair to the citizens, because citizens trust us to make sound decisions. I thing I’m one of the most transparent people in America when it comes to transparency, and so, we start trying to state a case on some things, we need to give them factual stuff, feel good conversations because, and that’s my only reason because with Curtis, we looked back there and he said ‘Well, we can’t get there’, so I said ‘I tell you what then, I know Mr. Presnell sent a memo out, he said we had to get these roads within a day or so, whatever, so I said let’s get these first, if I’m not mistaken, Mr. Presnell, after this here six weeks later we give out another five, right? So, whichever road we left out of here, I only get a day to get this stuff out of the way, so I say let’s get it out of the way now, then whatever the other five that we got to get, then we just go get those five. We can talk one way about unity in the community or whatever, but when you inconspicuously, as that little snake that was in our grass a few minutes ago, my wife told me to get rid of the snake before I go, we can’t talk about unity in the community when we going behind our back and saying something totally opposite to our constituents. I just had to say that real quick, because I always get the last laugh.”

Commissioner Viegbesie said he would not take the comment personally with offense, “we are talking about unity of purpose and working together. If you, anyone on this commission is saying anything with reference to anybody, we should be human enough to say this is who told who this and not make a generalized statement on commissioners. I don’t think that is healthy for unity, it’s not healthy for working together. I am the kind of one if I hear you say something, I will come to you and ask you to your face. Innuendos don’t go anywhere. I don’t think there is a commissioner on this Board who does not know the difference between municipality government and county government to know there is a limitation in jurisdictions. So maybe the commissioners need to even go about educating their own municipalities within their district so that they know what needs to be done and what cannot be done.”

Commissioner Hinson started to interject and Chair Holt stopped him and said there was a deputy present and she was “not going to have this bulldog fight out in the yard”.

Mr. Thomas said because “the revenue sources are State and we are pledging the bond and this process was a little different from the past. In the past we drew money down and there was an

extra opportunity, we had to put money up first and we then they reviewed to make sure everything was OK and we drew the money down. This process is a little different, you already have the money, right, so I need to ask this question up front everything you award this if all these roads are county roads, are all of them meeting standards, are all of them serving a general public purpose. I'm going to ask that question because I know that the first thing the auditors are going to do is pick this apart, right? So, I just want to make sure that from an accounting standpoint there are no problems, legal standpoint, so I'm going to ask that question every time, just for the benefit of the County so that we can be comfortable that everything is OK."

Chair Holt said she was glad he said that because those questions needed to be on the front page of everyone's packet because it needed to be obvious to everyone and they were going to move the motion forward.

Commissioner Taylor asked Mr. Presnell given the statement made by the Clerk with regards to stipulations in the selection of the (roads) process; they need to make sure roads taken do not fall in locations that would cause a problem. Mr. Presnell said they had vetted the roads, he and the Public Works Director review each project and no road would ever be put before the Board in an agenda item as long as he was the Administrator that was not perfectly above board and existing county maintained.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

#### **COUNTY ADMINISTRATOR**

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

Mr. Presnell pointed out the 850 Magazine and said it highlighted the County and wanted to make sure the commissioners had a copy.

He mentioned the Task force dealing with "molly" and other issues and said a Summit at the Law Enforcement Center was scheduled for September 9<sup>th</sup>.

He said the renovation to the Public Defender's Office was finished and Nancy Daniels wished to have a reception to thank the Commissioners, a date would be announced at a later time.

He then said one of the commissioners would need to make a motion under their comments for a Proclamation for Reginald James, who was retiring as of October 1<sup>st</sup>.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE TO APPROVE A PROCLAMATION FOR MR. JAMES.**

He then mentioned the Legislative agenda scheduled for September 10<sup>th</sup> to meet with the cities to finalize the water projects.

He also added that Northwest Florida Water Management District grant cycle was open for local water projects through October 1 for projects that were ready to go.

#### **COUNTY ATTORNEY**



**18. Update on Various Legal Issues**

Mr. Weiss said he had nothing to report, but was available to answer any questions and there were none.

**DISCUSSION ITEMS BY COMMISSIONERS**

**19. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**Commissioner Anthony “Dr. V” Viegbesie, Ph.D, Commissioner, District 2**

Commissioner Viegbesie said on September 20th, St. John Church of God in Christ would be having an appreciation for Pastor Ronald McCloud and asked for a Proclamation.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE PROCLAMATION.**

**Issue of speed bumps on Streets**

Commissioner Viegbesie asked for speed bumps to be placed on Neals Temple Road as well as Charlie Harris Road for safety and said he had asked the Administrator and was told a policy needed to be prepared for that and asked if a motion was needed.

Mr. Presnell said he had planned to have that on the next agenda.

He then asked for a Resolution or proclamation in support for the “Stepping Up” program at the jail for mental health.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE RESOLUTION.**

**Commissioner Gene Morgan, District 3**

Commissioner Morgan said regarding the speed bumps Commissioner Viegbesie had mentioned and asked if the policy coming before them would include that a vehicle could travel at a posted speed limit and did not necessarily mean it had to slow down, just meant if going at the right speed limit it would just go over the speed bump and that they did not want speed bumps that would cause potential damage to vehicles if not properly installed.

**Commissioner Sherrie Taylor, District 5**

Commissioner Taylor said she had nothing to report.

**Commissioner Eric Hinson, Vice Chairman, District 1**

Commissioner Hinson thanked the Board for the awards for the community. He then asked the Board for a Resolution for his Grandmother who was turning 98 years old.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE A PROCLAMATION FOR JOSEPHINE UNDERWOOD HINSON.**

**Commissioner Brenda A. Holt, Chairperson, District 4**

Chair Holt said a few years ago she had a disagreement with former Commissioner Eugene Lamb and she was not allowed to respond (referring to the incident earlier in the evening) and said there would always be “bumps in the road” but they would move on from it.

**RECEIPT AND FILE**

- a. **Gadsden County Division of Emergency Management Quarterly Report**
- b. **Mediacom**
- c. **Letter from DEO**
- d. **Small Business Services Monthly Report**

**UPCOMING MEETINGS**

- 21. September 10, 2015 - 1<sup>st</sup> Public Hearing (Budget) – 6:00 p.m.  
September 15, 2015 – Regular Meeting – 6:00 p.m.  
September 21, 2015 – Final Public Hearing (Budget) – 6:00 p.m.

Gadsden County Board of County Commissioners  
September 1, 2015 – Regular Meeting

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 7:57 P.M.**

**GADSDEN COUNTY, FLORIDA**

---

**BRENDA A. HOLT, Chair**

**ATTEST:**

---

**NICHOLAS THOMAS, Clerk**

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON SEPTEMBER 15, 2015, AT 6:00  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3-arrived late  
Sherrie Taylor, District 5  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Chair Holt called the meeting to order at 6:00 p.m., asked for a moment of silence and led in the Pledge of Allegiance. A silent roll call was conducted by Marcella Blocker, Deputy Clerk.

**AMENDMENTS AND APPROVAL OF AGENDA**

Mr. Presnell stated there were no amendments to the Agenda.

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

**AWARDS, PRESENTATIONS AND APPEARANCES**

There were no awards, presentations or appearances.

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

**CLERK OF COURT**

Deputy Clerk, Marcella Blocker, informed the Commissioners that the Clerk, Mr. Thomas, was at the Legislative Budget Hearing concerning the Clerks' budget and had nothing to report.

**CONSENT**

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

- 1. Approval of Minutes  
July 21, 2015-Regular Meeting**

**ITEMS PULLED FOR DISCUSSION**

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

**PUBLIC HEARINGS**

- 2. PUBLIC HEARING-(Legislative) For Adoption of Ordinance 2015-011 for the Amendment of the Future Land Use Element of the Comprehensive Plan**

Mr. Presnell introduced above item and stated it was a public hearing to adopt Ordinance 2015-011 for the amendment of the Future Land Use Element of the Gadsden County Comprehensive Plan.

Chair Holt asked if there were any comments from the public and there were none.

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

**GENERAL BUSINESS**

**3. Approval of Mosquito Control Agreement with Department of Agriculture and Consumer Services (DACS) and Annual Certified Budget**

Mr. Presnell introduced the above item and said Staff was seeking Board approval of this matching funds agreement and budget and for authorization for the Chair to sign.

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

**4. 2015-2016 EMS County Award of Grant Funds**

Mr. Presnell introduced above item and said it was for Board approval to apply for the 2015-2016 EMS County Award of Grant Funds from the Florida Department of Health, which required a Resolution and the signature of the Board Chair on the application.

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

**5. Hogan Lane SCRAP Project Bid Award**

Mr. Presnell introduced item and said it was for approval to award the bid of Hogan Lane SCRAP to Peavy and Son Construction.

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

**6. Approval to Extend the Interlocal Agreement with the City of Chattahoochee Regarding Public Boat Ramp Improvements on the Apalachicola River**

Mr. Presnell introduced above item and said was for approval to extend the Interlocal Agreement with the City of Chattahoochee for improvements to the South Boat Ramp on the Apalachicola River.

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

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**7. State of Florida Department of Economic Opportunity Grant Agreement for the 2015-2016 Community Planning Technical Assistance Grant**

Mr. Presnell introduced above item and said it was for authorization for the Chair to sign a grant

agreement with the Department of Economic Opportunity to accept the 2015-2016 Community Planning Technical Assistance Grant Award.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**8. Agreement with the Management Experts, LLC to Review and Update the County's Emergency Plans**

Mr. Presnell introduced the above item and said was for approval of an agreement between GCBOCC and The Management Experts, LLC to provide emergency training.

**Tashonda Whaley, Emergency Management**, appeared before the Board to address questions.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**9. Approval and Execution of State Aid Grant Agreements**

Mr. Presnell introduced the above item and said submission was required for the 2015-2016 State Aid application.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**10. Approval and Signature on the Fall 2015 E911 Rural County Grant Application for E911 System and MapSAG Annual Support and Maintenance**

Mr. Presnell introduced above item and said it was for Board approval and signature on the Fall 2015 E911 Rural County Grant Application for E911 System and MagSAG Annual Support and Maintenance.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**11. Approval to Accept Quote from Ross Tower Co., Inc. to Repair the Communications Cell Tower Located at the Gadsden County Jail**

Mr. Presnell introduced above item and said it was for approval to accept the quote from Ross Tower Company to repair the existing communications cell tower located at the Gadsden County Jail.

Commissioner Morgan asked if there were any evidence of the company being bonded.

**Clyde Collins, Building Official**, appeared before the Board and said yes, they were licensed, insured and bonded.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**12. Traffic Calming Devices Policy**

Mr. Presnell introduced above item and said this was to seek approval from the Board on the

traffic calming devices policy.

Mr. Weiss explained the additions he placed into the Neighborhood Traffic Management Program.

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

He said since it was sent to him with that section in it, it was his assumption that was the way they were going with the costs being a special assessment against the benefitted properties rather than the money coming from general county funds; and b) in most cases that was what they would see and added it would typically be the type of improvement that would only benefit a small segment of the public and if they were making an improvement that would benefit such small segment, it would be done based on a special assessment against the property of those benefitted. He said he also added that this would only be considered for county roads that were open to the public.

Mr. Presnell asked what the special assessment would cost if they went that route.

Mr. Weiss stated that would be a cost that would be passed along and included in the special assessment and there were various companies that specialized in implementing special assessments that could do this for not an excessive cost.

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

Commissioner Viegbesie said he was glad to see the policy or ordinance in place to handle the citizens' requests.

**COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE THE POLICY AND CHAIR HOLT MADE THE SECOND. COMMISSIONER MORGAN HAD COMMENTS.**

Commissioner Morgan agreed it was a good idea to have a policy in place and said they needed to keep in mind whenever speed calming devices are considered and implemented, it always produced issues and stated again these devices are not meant to slow down as a certain area was approached, it was meant to help a person maintain an existing speed. He stated he supported the policy and recommended they talk to the tax collector for feedback.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

#### **COUNTY ADMINISTRATOR**

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

Mr. Presnell reminded the commissioner the final Budget hearing was scheduled for September 21<sup>st</sup> at 6:00 p.m.

He also reminded them the Value Adjustment Board Organizational meeting was scheduled for 3:00 p.m. tomorrow.

**COUNTY ATTORNEY**

**14. Update on Various Legal Issues**

Mr. Weiss stated he had nothing to report but was available for questions and there were none.

**DISCUSSION ITEMS BY COMMISSIONERS**

**15. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**COMMISSIONER ANTHONY “DR. V” VIEGBESIE, PhD., Commissioner, District 2**

Commissioner Viegbesie reminded the commissioners this was the last meeting in this fiscal year. He reminded all of them “The fear of God, not of man, is the beginning of wisdom. While we may have our own worldly knowledge, I will suggest that we rely more on Godly wisdom. Furthermore, we must not allow our fear of change from what we are used to, to keep us in the state of perpetual despair.”

**COMMISSIONER GENE MORGAN, District 3**

Commissioner Morgan asked the County Administrator about the road paving and asked if phase one was beginning and Mr. Presnell responded yes, they were shooting for four phases. Commissioner Morgan said they had found the costs for paving and asphalt were cheaper and asked if the Administrator could recall when it was cheaper. Commissioner Morgan then said he had done research and asked the Board to consider a way to identify enough funds to complete paving for any unpaved county roads.

Mr. Presnell said it was as good of an idea now as it was in 2006 when the first bond was done, it could be done cheaper now and anytime they could make an investment up front it was a benefit, not only from the money standpoint, but people were getting the use of the paved roads and reaping the benefit thereof.

Chair Holt asked the pay-off on the bond. Mr. Presnell stated they had just redone the bond and the pay-off was \$10 Million. Chair Holt said when they went after the bond money in 2006, people were saying they were broke and they were not. She said they used the monies to build the libraries because they used the match off the infrastructure off the roads in order to build the three libraries and two fire stations. She said they could levy infrastructure as needed to build other roads and they may or may not look at getting an interest rate that was pretty good.

**COMMISSIONER SHERRIE D. TAYLOR, Commissioner, District 5**

Commissioner Taylor said she had nothing to report.

**COMMISSIONER ERIC F. HINSON, Vice Chair, District 1**

Commissioner Hinson had nothing to report.

**COMMISSIONER BRENDA A. HOLT, Chair, District 4**

Chair Holt asked for a Proclamation for Millie Forehand who was retiring on September 19<sup>th</sup>.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS MATTER.**



**RECEIPT AND FILE**

**UPCOMING MEETINGS**

- 16. September 21, 2015-Final Budget Hearing - 6:00 p.m.
- October 6, 2015-BOCC Regular Meeting - 6:00 p.m.
- October 20, 2015-BOCC Regular Meeting - 6:00 p.m.

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 6:31 P.M.**

**GADSDEN COUNTY, FLORIDA**

---

**BRENDA A. HOLT, 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 OCTOBER 6, 2015 AT 6:00 P.M.,  
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:

Present: Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1-arrived late  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
Sherrie Taylor, District 5  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Chair Holt called the meeting to order at 5:59 p.m., asked for a moment of silence and then led in the Pledge of Allegiance to the U.S. Flag. Silent roll call was taken by Marcella Blocker, Deputy Clerk.

**AMENDMENTS AND APPROVAL OF AGENDA**

Chair Holt asked if there were any amendments and Mr. Presnell asked to move items 3 and 4 under the Clerk to the Consent Agenda and renumbered those items 5c and d.

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

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Mosquito Control Program**

Mr. Presnell introduced the above item and said there was a new Mosquito Control director. He then called **Curtis Young, Public Works Director** and **Mr. Jamison Spencer, Mosquito Control Director** forward to introduce him.

**2. Gadsden County Health Department**

Mr. Presnell introduced the above item and said Dr. Adrian Cooksey-Wilson had a presentation. **DR. ADRIAN COOKSEY-WILSON, Director of the Gadsden County Health Department**, stepped forward and reminded everyone October was Breast Cancer Awareness Month. She recognized the Board of County Commissioners Public Works for being the winner of the Go Team Gadsden and said they lost a total of just over 200 pounds.

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

**CLERK OF COURTS**

**3. Ratification of Approval to Pay County Bills-September 2, 2014**

**4. Ratification of Approval to Pay County Bills-September 14, 2015**

**CONSENT**

**A MOTION WAS MADE BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE. BEFORE THE VOTE WAS TAKEN, COMMISSIONER VIEGBESIE ASKED TO MAKE A COMMENT.**

Commissioner Viegbesie asked to recognize Alphonso Figgers in the audience, who had been very sick and absent from recent commission meetings. Mr. Figgers stepped forward and had a few words to say.

**CHAIR HOLT THEN CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

**5. Approval of Minutes**

- a. August 4, 2015 – Regular Meeting
- b. June 2, 2015 – Regular Meeting

**ITEMS PULLED FOR DISCUSSION**

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

**PUBLIC HEARINGS**

**GENERAL BUSINESS**

**6. Economic Development Professional Services Contract**

Mr. Presnell introduced the above item and said was for board approval of the Economic Development Services Contract between Gadsden County Development Council (GCDC) and the Gadsden County BOCC.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**7. Approval of Interlocal Agreement with the Town of Greensboro for Animal Control Service**

Mr. Presnell introduced the above item and said was for approval of the Interlocal Agreement between the Town of Greensboro and the Gadsden County BOCC for animal control services within the city limits of Greensboro.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**8. Review and Approval of the 2016 Legislative Priorities**

Mr. Presnell introduced the above item and said it was for approval of the County's 2016 Legislative Priorities.

**COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE AND SAID HE WOULD LIKE DISCUSSION ON THIS MATTER. COMMISSIONER MORGAN MADE THE SECOND.**

Commissioner Viegbesie asked the Mr. Doolin his opinion on the Legislative priorities.

**Chris Doolin, Lobbyist**, stepped forward to address questions and stated the document was

confirmed by the public at the previous night's scheduled meeting. He said they had asked for small county Courthouse funds for a number of years and it was a priority, a beautiful building and was a historic landmark of downtown and complemented the Staff because a different approach was being taken this year and the applied through the Historic Preservation program, were recommended for \$500,000 and felt they were veto-proof from the standpoint that they were not seeking an end-run. He said he also felt with the work they had done on the continuation of the Ag building project, funding had been received twice and felt that also was a cornerstone facility for strong economic development purposes in the community and felt they would be ranked fourth and recommended for \$600,000.

Commissioner Hinson asked what they were doing different in Gadsden County to set Gadsden County aside from other counties.

Mr. Doolin said they spend a lot more time monitoring specific projects so the intel, project development, focusing on the Courthouse, getting them postured where they were and communicating with the delegation very directly.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**9. Approval of Agreement with the Gadsden County Chamber of Commerce Small Business Service Center**

Mr. Presnell introduced the above item and said it was for approval of the agreement between the Gadsden Chamber of Commerce Small Business Service Center and the Gadsden County BOCC.

**COMMISSIONER VIEGBESIE MADE A MOTION FOR APPROVAL OF OPTION ONE AND COMMISSIONER MORGAN MADE THE SECOND. COMMISSIONER TAYLOR CALLED FOR QUESTIONS.**

Commissioner Taylor said during the budget process, they were trying to make sure there were additional dollars to go to this center to work in conjunction with business retention and expansion and wanted to make sure everything was reflected in this contract or reflected in the GCDC contract.

Mr. Presnell explained this contract was for \$80,000, an increase of \$40,000 from last year.

There was more discussion around the Board.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**10. Approval of Amendment #4 to the Contract between Gadsden County and Big Bend Transit to Provide for the Continuation of Gadsden County Express Services for Twenty-four Months and for the Chairperson to Execute the Agreement**

Mr. Presnell introduced the above item and said this was for approval of an amendment to extend the current Big Bend Transit Gadsden Express Contract for an additional twenty-four months beginning October 1, 2015 through September 30, 2017 and to authorize the Chair to sign.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**11. Transportation Agreement Between the Gadsden County BOCC and Big Bend Transit, Inc.**

Mr. Presnell stated this was a related item to the previous item.

**COMMISSIONER TAYLOR MADE A MOTION TO APPROVE AND COMMISSIONER VIEGBESIE MADE THE SECOND. COMMISSIONER MORGAN CALLED FOR QUESTION.**

Commissioner Morgan asked if this was separate from the Gadsden Express or Gadsden Connector and wanted to make sure this was the Quincy Shuttle and Mr. Presnell stated yes.

Commissioner Morgan asked if the City of Quincy was participating with some of the funding.

Mr. Presnell stated no, they were asking this board to fund.

Commissioner Morgan stated he had no problem putting funds toward that, but felt the City of Quincy should participate in this and asked to table this matter until Mr. Presnell could talk with the City of Quincy and bring this back before the Board at that time.

Commissioner Hinson said he would second that.

Commissioner Taylor explained there was a previous motion on the floor and Commissioner Hinson said he made the second. Commissioner Taylor explained not Commissioner Morgan's, but there was a motion and second to approve it.

Commissioner Hinson said, "Traditionally, like I always said when I was on the School Board, when a commissioner have an issue with an item and want to table it, I always say come back and we'll discuss it then. So I won't second Dr. V's motion right now".

Commissioner Viegbesie pointed out that Commissioner Taylor made the motion and he seconded it, it was up for discussion and felt now it could be called for vote.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 3-2 BY VOICE VOTE. COMMISSIONER MORGAN AND COMMISSIONER HINSON OPPOSED. MOTION PASSED.**

**12. Approval of the Annual Contract Between the Gadsden County BOCC and the Florida Department of Health for the Operations of the Gadsden County Health Department**

Mr. Presnell introduced the above item and said pursuant to Florida Statute 154, this was for approval of the annual contract between GCBOCC and the Florida Department of Health for the operation of the Gadsden County Health Department for the contract year 2015-2016.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**13. Approval to Accept the Grant Award from the Florida Department of Environmental Protection, Florida Recreation Development Assistance Grant Program (FRDAP) to Renovate Scottown Park**

Mr. Presnell introduced the above item for Board approval to accept the grant award in the

amount of \$50,000 from the Florida Department of Environmental Protection for a FRDAP grant to renovate Scotttown Park and for the Chair to execute the agreement.

**COMMISSIONER VIEGBESIE MADE THE MOTION TO APPROVE AND COMMISSIONER MORGAN MADE THE SECOND. COMMISSIONER MORGAN HAD QUESTIONS.**

Commissioner Morgan asked if there was a match required for the grant and Mr. Presnell responded no.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**14. Commission Appointment/Reappointment to Inmate Commissary and Welfare Funds Committee**

Mr. Presnell introduced item and said it was for Board approval to appoint or reappoint one Commissioner to serve on the Committee to oversee the Inmate Commissary and Welfare Funds for the Gadsden County Jail.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE FOR COMMISSIONER MORGAN TO CONTINUE TO SERVE ON THE COMMITTEE.**

**15. Renewal of Medicaid Agreement**

Mr. Presnell introduced the above item and said it was presented to the Board for approval of the attached agreement between Gadsden County EMS and the Agency for Health Care Administration and for authorization for the Chair to sign.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**16. Request for Approval to Renew the Contract for State Lobbying Services for Fiscal Year 2015-2016 (Lawson & Associates)**

Mr. Presnell introduced the above item and said it was for Board approval to renew the contract for State Lobbying Services with the lobbying firm of Lawson and Associates for the 2015-2016 fiscal year.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**17. Request for Approval to Renew the Contract for State Lobbying Services for Fiscal Year 2015-2016 (Chris Doolin & Associates)**

Mr. Presnell introduced the above item and said it was for Board approval to renew the contract for State Lobbying Services with the lobbying firm of Chris Doolin and Associates for the 2015-2016 fiscal year.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**18. 2015 Paving Project-Additive Change Order #1**

Mr. Presnell introduced the above item and said it was for Board approval of Change Order #1 in the amount of \$18,608.00 to C.W. Roberts Contracting, Inc. to add the paving of St. Hebron Court to the original contract.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSISONER MORGAN, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER TAYLOR OPPOSED.**

**19. Discussion and Direction on the Utilization of Student Intern Positions**

Mr. Presnell introduced the above item and stated the Board approved \$10,000 in fiscal year 2015-2016 budget to fund student intern positions and stated the Clerk's Office had concerns and had been back and forth with emails. He said Mr. Lawson felt it would be better to come to the Board and get a clear understanding of the utilization of the positions and specific direction in moving forward in the current budget year.

**Chair Holt**

"Commissioners, I look at the item here at your station. The reason that I asked for this information because we have a tendency to go back and forth that we don't know whether this is, what should or should not be and all that kind of stuff, because we have different issues come back and forth with Finance or with the Clerk and we all need to always know what's legal standing. That's why I asked for an opinion. I always bother the attorney. Give me an opinion and it needs to be based on the law, not what you think. Because we can go to jail on what you think, I can go to jail definitely on what I think. So, that's the reason that you always look at what the law says and that's what this says. I asked for it to be highlighted in yellow (inaudible). But, on the interns, once we voted for interns to be got, we did not as a Board decide on how we wanted that done. The Board didn't decide, so we said we approved it for interns and we kept going. OK? So, at the end of that fiscal year there was some more funding left in there and some more interns were appointed. Now, I think definitely we need some research people. We are going to almost have to have them, unless you want to do commissioners as a full time job. So you have to look, you have to have research for these items. When I got on this Board, sometimes we got our packet on Monday for the meeting on Tuesday and it wasn't even a bound book. It had a rubber band around it. You dropped the package, all your stuff was out of order and they were not numbered. So, yeah, you are going to need research people. So what we need to do, we may need to do, get the staff to go back and do some research and see how maybe other people are doing the interns. But, you need research and you need people doing things when you are doing upholding in communities for community meetings and all that. They do a lot of the leg work that they do. I did ask the Manager whether we should have interns or assistants part-time."

**Commissioner Hinson**

"Well, honestly, it's interesting that we are holding this conversation here, ah, we was able to give I had to give Senator Lawson, not Senator Lawson, Mr. Arthur Lawson a copy of job duties and responsibilities. If the County Manager would talk to him, Mr. Arthur Lawson has got all that information. It was dealing with research, everything you are talking about, matter of fact, they had given me, gave them an outline of duties and responsibilities they must do in order to complete and, ah, those red folders you guys have been seeing for the last month or so up there, those are some of the things that they had to accomplish and achieve during that time. If you want to, we can get one of your Staff to go up and pick up one of the red folders up there and they can show the Board exactly what's going on and what they are doing. I think they got a great, it was great for the students that was able to get out and do some research, understand the Board

packet by what's going on with the Board, and also going into the community and set up workshops in the community by some of the great things that we do in this county so that our community can know exactly what's going on. One, the transportation situation here, the dollar ride situation going on, they been talking about that, informed the community about public, I mean private to public roads, ah, those, they are going into different communities talking about, they not talking about it, they are going to bring the Staff there and you are going to be seeing it in a minute. Actually, they are still working even not getting paid. I told them 'You can only do it for one month but your project may not be able to complete within this month, but if maybe next month or whatever, I will give you time to do it so you can do it. That's their little personal project now. Anything after September 30<sup>th</sup>, that's community service from that point and they were able to agree with it. They was able to make a few dollars in their pocket, Pastor Harris agreed one guy, Tony Griffin, gave me a situation that he talked with Pastor Harris, they gonna set up a program there at his Church and they gonna be talking about different issues that the County doing that help out the community, they can help out our community. These kids really was on fire, I think that it was well spent and the thing is that, I think, the only thing, the only direction we have is that I can't spend no more than \$10,000 and my initial approach was four students, \$2,500 a semester, two students per semester to next semester, we would go with that. My student graduated early so the money had, congratulate her, she finished, I think she finished at Florida State, she's from Quincy, FL and she wound up finishing early so we couldn't continue her stay. There was a lot of little things going during at that time, my Mom had open heart surgery, so I wasn't trying to go back and hire students, I had to go back and figure out what's going on with my Mom first. So, after she finished, things just happened that way. So, ah, so at the end of it, in July, I asked Jeff (Price) about how much you have in the budget and he told me how much we had in the budget and I just said well, I just called students around from Quincy to Havana and Midway and not called students, I called community leaders in the community and said I got a few projects that I would like for them to complete. I think as long as I don't go over the budget, that's the only hiccup it would be, make sure we don't go over the budget. Other than that, I thing that everything else is just fine. And guess what, I didn't go over the budget. I think I was like a \$1,000 short."

**Chair Holt**

"OK, if I remember correctly none of us wanted an assistant, an intern, but we did set aside the money for the intern. Commissioner Morgan..."

**Commissioner Morgan**

"Thank you Madam Chair. So, ah, I guess I wasn't too clear on some of this. We've got interns that we have a commissioner directing their activities?"

**Mr. Presnell**

"No Sir."

**Commissioner Morgan**

"We don't, OK. I misunderstood you, I'm sorry. So Commissioner Hinson is not telling them what to do or giving them projects."

**Mr. Presnell**

"No Sir."



**Commissioner Morgan**

"OK, so, that's good. I didn't approve this, we just had a difference of opinion on it as far as interns. I wonder..."

**Commissioner Hinson**

"Actually you made the motion."

**Commissioner Morgan**

"I did?" (Laughter)

**Commissioner Hinson**

"You made the motion for..."

**Commissioner Morgan**

"I shouldn't have."

**Chair Holt**

"I'm in favor of it, but go ahead."

**Commissioner Taylor**

"Yes you did."

**Commissioner Morgan**

"I'm going to have to go back and look at that. Anyway, so, why don't we use volunteer interns?"

**Commissioner Hinson**

"You can, but, you know, I just want to pay them."

**Commissioner Morgan**

"I really, Mr. Administrator, too, if I can look back and get the minutes on all that and see kind of how that unfolded, I'd really appreciate it."

**Mr. Presnell**

"It involved Senior Citizens and Mainstreet."

**Commissioner Hinson**

"That's right."

**Commissioner Morgan**

"I was deal making is what you're saying" (Laughter) "OK, ok, ok, ok, so I was deal making. OK, but, but, my original question was, and I think you cleared it up, I don't know how these volun...interns are getting their assignments, but that really is important to do that, you know, I haven't taken part in that other than approving it apparently, so, but as long as we are meeting certain criteria and we are in line with all that."

**Mr. Presnell**

"The item tonight is not to dispute the activities or the assignments, I mean, what we needed, the Clerk's Office has some concerns, it was fine throughout the year, y'all had budgeted the money

and really no issue ever came up about direction of them or what. Then at the end of the year when there was multiple students, there was some questions from the Clerk's Office and basically all we had to go on, I pulled the minutes. But basically there had been some give and take in a budget workshop and it got put into the budget, but the Clerk's Office won't, but we got the kids paid and they are supervised by a county staff person, but basically, the only dispute is we need this Board to state for the Clerk's purposes basically..."

**Chair Holt**

"OK, Commissioners..."

**Mr. Presnell**

"How to proceed forward."

**Chair Holt**

"Let me say this right quick. In the yellow, Attorney's opinion. Give me an opinion on that."

**Mr. Weiss**

"Well, I think what this Attorney General opinion basically says is, it's the Board's job to determine what constitutes a County purpose and you do that by making a determination. In this instance you determine that it would serve a County purpose to hire some interns to assist with projects that would serve a County purpose. Again, you are looking at things that need to, that serve a public purpose. Once that determination is made by the Board, the Clerk doesn't second guess the County purpose aspect of it, but the Clerk does have to insure that how the funds are being used is not illegal prior to paying them."

**Chair Holt**

"Right."

**Mr. Weiss**

"Ah, so that provides a check and balance on the expenditure of public funds, just to make sure they are being spend appropriately. So, I think when the Clerk has a question regarding how the funds are being used before disbursement, ah, it's appropriate for the Clerk to ask the Board for clarification and ask for certain items to make sure that the policies are being followed and to make sure that the funds are being appropriately expended for County purposes. But what it goes on to say basically, however, if the Clerk doesn't have any question about the legality of the way the funds are being spent, it doesn't have to come back to this Board to then make payments. But that basically the..."

**Chair Holt**

"the gist of it."

**Mr. Weiss**

"Yes."

**Chair Holt**

"And that's why I asked for that to be highlighted, so if there is nothing illegal going on, we need to go ahead and move on. You don't have to vote on that item, but you, I think it's better to go back and do research and see if, how you want it set up for the next time. That's it and let's move on."

**Commissioner Viegbesie**

"Madam, I thought this was for just for, just for discussion..."

**Chair Holt**

"Right and so that's what I'm saying..."

**Commissioner Viegbesie**

"It's not an action item."

**Chair Holt**

"So, We need to, if we're good with that then go ahead and have a little bit of research done and see what we want those (inaudible) to be and then let's do that. The only problem when I looked at the item, is you cannot have, if you are going to go out and do research, it's hard in this County to do research when people are working. If they are working during the day you are not going to get that much research done, be honest with me. Because if you have to go out and say how many people did whatever in Havana and you are going to go out there and do some tallies and all that kind of stuff, that something that is part of your research, if you do that, if you are an intern. That's just the way it works in local politics. We don't really have a lot of people to do that so sometimes we 8:00 – 5:00 you may have something that's going to be going on at the Library at 6:00, a meeting or something like that. So those are some things I'm talking about. But it has to be monitored by staff and we've taken care of that. Yes sir?"

**Commissioner Morgan**

"Madam Chair, so, the Attorney is comfortable with (interruption from the audience with ringing phone) the ah, we have these interns in a safe environment when they are out doing whatever they are doing, I mean, we're not, correct? We are protected from any liability issues or anything of that nature since these are students, correct?"

**Commissioner Hinson**

"Because..."

**Commissioner Morgan**

"Are there any concerns there is what I'm asking."

**Mr. Weiss**

"Well, I have not been made aware at all of what activities are actually being, are actually going on, I mean with respect to these interns. I don't know exactly what they are doing."

**Commissioner Hinson**

"Actually these students assist..."

**Commissioner Morgan**

"So when they agree, or we agree to hire them as interns, there is..."

**Commissioner Hinson**

"Student Assistant."

**Commissioner Morgan**

"There is, ah, formal process for that, I guess is what I'm asking and we are getting..."

**Mr. Presnell**

"Yes Sir, they are processed through Personnel and they are supervised by Jeff Price."

**Commissioner Morgan**

"Ok, ok. Thank you."

**Chair Holt**

"OK, alright, so..."

**Mr. Weiss**

"Could I just make one comment? I think the only thing that, coming back to this item that the Clerk was looking for is to make sure that the Board is OK with however the interns are being selected, how they are being assigned, how they are, you know, because there was no real direction in that regard."

**Chair Holt**

"Right, and so that's what we are saying, we are taking care of no. When it goes back for and we are looking to how we are going to set up on the next round, because that's already over. So we set it up how we want it and keep moving. It comes back to the Board anyway."

**Commissioner Taylor**

"Excuse me..."

**Chair Holt**

"And I guess I'm saying if it, if they are going to do the research, the Staff's going to do that, how to set it up, then it comes back to the Board, we have to vote on it anyway. So, Commissioner Taylor, you were next."

**Commissioner Taylor**

"Thank you, ah, I'm listening at the dialogue that is going on and I'm still kind of puzzled because the one moment Commissioner Hinson said that he had set out some guidelines for the interns and this was all compiled in a red book that we could validate the goals and the agenda that you set for the interns."

**Commissioner Hinson**

"Right."

**Commissioner Taylor**

"Then I'm hearing the County Administrator say 'Well, no, this has been done through Jeff Price ah, as to how and what these interns are doing'. So I agree with Commissioner Holt in that, you know, just to keep ourselves consistent with one message that there needs to be some kind of a workshop. There needs to be some kind of a template put before the Board so that we can vote on it, agree on it and then allow these young people to work. I also hear the Attorney, because if you are talking about going out into the community getting data, getting information and that does put them in sensitive situations. So, a lot needs to be considered when coming up with a

format for these young people and we need to get something a little bit more formal and then implement it. I have no problem with implementing it, but there needs to be something a little bit more concrete from this Board that this Board can agree on. Like she said a moment ago, bring it back and consider all aspects when you bring this back, security, job performances, availability to other commissioners, other districts. It needs to be well thought out.”

**Commissioner Hinson**

“Right.”

(Several starting talking at one time)

**Chair Holt**

“Hold on, hold, hold on, hold on just a minute, just a minute. Dr. Viegbesie had his hand up, Commissioner Hinson and then you will be next..”

**Commissioner Hinson**

“OK.”

**Chair Holt**

“OK.”

**Commissioner Viegbesie**

“This particular program happened to be something that was agreed upon before I became a commissioner and ah, I would like to, I don’t what discussion took place before the money was approved. I would like to get us as a body to understand that those of us sitting up here, we are policy-making body, not the executive branch and when it comes to executing any policy in regards to the use of funds and carrying out the particular service, I think that should be left entirely to the executive branch, which is headed by the County Administrator and that would keep us in total clear of any kind of liability and lawsuits should something happen to those interns. That would be my position on it and if we are going to continue with it, that is something I would want to see before I even approve or support so to speak, whether it should go on, we need to know separation of powers and then let the Administrator and his staff execute in determining who becomes interns and what to do so that we don’t have the conflict I am hearing as to package being somewhere and somebody has to be the one in charge of it. So, that is all I have to say to it. Thank you very much Madam Chair.”

**Commissioner Hinson**

“Madam Chair?”

**Chair Holt**

“Yes, Commissioner Hinson.”

**Commissioner Hinson**

“Ah, first of all, I think that each commissioner, that’s why it’s important for each commissioner to go to conferences so that they can know their duties and responsibilities. If you go to Tallahassee, they got their own interns, they got their own staff, they got everything. So, first, they need to know their job. We got to do that before we do anything, because integrity is all we got. Second, second, since we, ah, big on ah, every time, it’s interesting, I, we, the reason I was able to win last

time, I had to go through the same speech again. I thought that speech was over last year, two years ago. That why Commissioner Morgan got tired of me talking and he went and voted for it. (Laughter) “

**Commissioner Morgan**

“Are we negotiating again, let me know now.”

**Commissioner Hinson**

“And, ah, and the thing is here is that only two things I fight ah, I’m very compassionate about, Senior Citizens and students in Gadsden County. Those two they are very, very compassionate about and ah, anytime I can help a student, you never hear me trying to fight for a corporation, company, whatever, I fight for people in Gadsden County and to be honest, it’s, it’s, I guess, I used to say I was passionate, somebody told me the other day, ‘Eric, you not passionate, you ‘s compassionate.’ I said, OK, great. I use that word compassionate; I’m very compassionate when it comes to senior citizens and students. But, I’m gonna do y’all a favor, so y’all can, we only talking about \$10,000 at the moment, cause, ah, we got a Million dollars on the board for economic development that I asked the Board to bring up \$300,000 extra and that \$640,000 and we have so many other things, we can’t lose our focus, the focus, the precious focus. So I move the motion that we just eliminate this \$10,000. Why are we worried about \$10,000? Let’s use our time wisely and talk about how we can pave some roads for our senior citizens, use our time wisely on how we can bring jobs in this community, ah, for our folks, how we can build more fire stations, ah and libraries, and how we can extend the hours on libraries. Maybe y’all will go against that too, as well, cause they were people, right? So, ah, I move a motion so we don’t worry about talking about this no more, that way maybe you guys be satisfied. Cause when I’m trying to help a person, these kids out, that’s when you want to get articulate. I’ve got a Master’s degree in Applied Social Sciences as well, that’s when we want to get a social stronghold on things, but for me not to slow down the progress because apparently what someone told me everybody’s echoing what one person told them, and so, and we can’t be polling on the Board too, as well, we can’t be polling. That’s not fair to our constituents, a person trying to figure out what this person is talking about and that person talking about. Let’s be fair to our constituents and make a decision to be open-minded and, and, ah, be fair to the citizens of Gadsden County. Those kids enjoyed themselves and I mean, they was great, we had a ball, I was able to hire a lot of them and guess what, as of today, I want to eliminate this \$10,000 right here up until I think it’s necessary to bring them back. I’ll probably bring it back in the future and, and, ah, so, we won’t worry about arguing about this situation no more. I think it’s a great thing to do, to, this is a month of ‘Go Pink’, ah, Breast Cancer Month and, ah, I don’t want nobody stealing my joy so that’s why I got the pink on. So, again, I really appreciate y’all for carefully discussing this beautiful conversation here over \$10,000 when we, we got what, about \$6 Million Dollars we need to figure out how we can use and we focused on \$10,000 to help our students in Gadsden County. So I really appreciate y’all, let’s just go ahead, don’t worry about tabling it, worry talking about it Ms. Holt, I mean, Madam Chairman. We go and move to the next conversation, because I don’t believe in slowing up the progress. You guys are beautiful, I love you all.”

**Chair Holt**

“Commissioner Hinson...”

(Several talking around the Board at the same time-inaudible).

**Chair Holt**

"Well, Commissioner Hinson, I, I, I admire your ability to look at ah, taking care of the youth."

**Commissioner Hinson**

"Yeah."

**Chair Holt**

"I do, and I've told you that before and I will tell you that again. If there was money left in any way that we could help young people, we better help them if we gonna help them now and I deal with them every day. You know that and several of us know that, and if you don't do that, you end up with what you get. As I said over at the Public Defender's Office, win some cases so that we can keep them out of jail. So, if they win some cases, we get to have a fewer seats in jail. But, what I am saying is that I don't really think that it's, it's a problem. I really believe in that program and the reason I believe in that program is not so that interns, or student assistants or whatever we want to call them, can make money. I believe in it because it teaches them how to take care of business, to how to take care of business, how to come to work, being on time, how to dress, how to do some things that they never get to go to Tallahassee to do. Some of them only going over there when they're trying to by school clothes, there is nowhere else for them to go. They don't come to this building or the City and if they don't go to these places and see things being done in the way we want them to do them, then we have a problem with them when we never taught them how to do it. So, all I'm saying is, if we had \$20,000 left in the account, we should be looking at those kids and these other programs. But now, this Board never said how to use the money, we didn't specify, that's why I said, it's no problem, everything they done, the kids learned, that's all I wanted to know. We need to move on, and the program is a good program. I, I, I don't want you to think about not doing it, because if they can learn how to fix some, fixing something, and they learn how to fix something or they into Mr. Lawson's office and they learn how to do interviews and they gonna learn something and that means they are not sitting at the house, going home, or hanging out on the streets, so they are doing something. But, I just, we need to move this item on. This packet right here, we need to keep in these books because every time other issues come up, whether we know we are on the right side of the law or not, we need to have these in this book, along with a copy of Policy and Procedures in the back of the book. If we can get those in there, I think we are doing well. I don't think though, to take everything as a personal attack, I think that it's a good program..."

**Commissioner Hinson**

"So you talking about the kids, and I'm saying, and I apologize, everybody know, like, I'm sorry, like someone told me last year, they say 'Eric, you get so, so emotional talking about kids' you know, but because I love, I just love children."

**Chair Holt**

"Don't worry about it, don't worry about it."

**Commissioner Hinson**

"Ah, but, because I love, I just love children."

**Chair Holt**

"But don't worry about it..."

**Commissioner Hinson**

"I, I just apologize..."

**Chair Holt**

"Dr. V has his hand up and we need to move on, Ladies and Gentlemen."

**Commissioner Viegbesie**

"I don't think, I'm not hearing anybody here that is questioning the product, what I am hearing is the process of the production. That is what I have heard people (inaudible) heard concern, it is not the product itself, it's the process of the production so as to make sure that we are doing what we are doing according to law and order. That is all I have heard, so I think, Madam Chair, we have killed this thing and it is dead (laughter) and let's carry on and ah, so that we can get out of here..."

**Commissioner Hinson**

"But, but, I think Mr. Lawson got, Mr. Lawson got, I think if I'm not mistaken, Mr. Lawson got a job description of, of this right here, he can get it to you, to everybody so y'all can see the job description. That's what I was coming..."

**Chair Holt**

"OK, no problem, sounds good."

**Commissioner Hinson**

"He got a job description, I'm just saying, ah, and you know what, real quick, we helped them kids and I really thank the Board, first of all, that's what I forgot to say this here, you guys are unbelievable, we are moving forward in Gadsden County, ah, I pray to be helping kids in college than focus on Molly. Why won't we help, like you said, why don't we help those kids out, there's a great chance that they're not getting in trouble, and, and that's all I got to say."

**Chair Holt**

"OK, thank you..."

**Commissioner Hinson**

"And thank you for everything to, I guess I'll keep the program then."

**Chair Holt**

"Alright, let's..."

**Commissioner Viegbesie**

"I move to move the Agenda."

**Chair Holt**

Alright, let's move on, next item. Thank you."

**20. Approval to Award Bid #15-15 for Security Services for the Quincy Library to Knight Security Services, LLC.**

Mr. Presnell introduced the above item and said it was for Board approval to award bid number 15-15 for security guard services for the Quincy Public Library to Knight Security Services of



Gainesville, FL.

**COMMISSIONER TAYLOR MADE A MOTION TO APPROVE AND COMMISSIONER VIEGBESIE MADE A SECOND.**

Chair Holt asked if they were currently working there and Mr. Presnell responded no.

Commissioner Viegbesie pointed out there was a motion on the floor.

Chair Holt said she did not hear him and he pointed out that Commissioner Taylor made the motion and he made the second.

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

Commissioner Morgan said it looked like an out of town vendor was selected for \$12.00/hour and was for 24 hours minimum for 52 weeks and a local vendor responded for a dime more per hour and asked why not hire a local vendor.

Commissioner Taylor withdrew her motion.

Mr. Presnell asked Mr. Lawson to step forward and said Mr. Lawson had instructed them they had to go with the bid.

Mr. Lawson said he had to make the recommendation based on their current procurement policy and the policy stated that for the low bid, they award and there were no provisions otherwise. He added if the Board decided to change that, it was up to the Board's discretion, but his recommendation was based on the current procurement policy.

Commissioner Morgan said that was his recommendation, but they could approve who they thought was the best company.

Mr. Lawson cautioned them that the low bid had the right to appeal per their bid protest, but he had no choice but to recommend the bid based on their policy.

Mr. Weiss said there was a distinction between an invitation to bid and the request for proposal and further explained on the invitation to bid services are identified and they were selecting a company based on low price and that was the only determining factor they could base their decision on.

Commissioner Morgan then asked why it was an invitation to bid as opposed to an RFP.

Mr. Lawson explained the services were pretty cut and dry, they list what services they want and companies would bid on it.

Commissioner Morgan said he was surprised they could not pick a local company to provide the services and Mr. Weiss said for them to recall they had before the Board an ordinance to amend the procurement policy to include a local preference, which would give them the ability to do what they wanted to do. Commissioner Morgan asked if they appealed it and Mr. Weiss said he would

not like their chances in winning the bid protest.

Commissioner Taylor asked what happened if they didn't choose a company and Mr. Presnell said it would be re-bid and Commissioner Taylor said that was what she preferred to do so they could put something in place in the bid to give preference to local bidders.

Mr. Lawson said one way to get that with bids as this one was to put something in the bid document that said the Board had the right to award to other than the low bid of "xxy" and Mr. Weiss said if they were doing in invitation to bid, they have certain language in their procurement policy that said something along the lines of the Board reserves the right to reject all bids or award the bid to whoever it believed was in the best interest of the county, but did not think that language was particularly effective when they had an Invitation to Bid that said they were evaluating it solely on price. He added if they did have legitimate concerns over a response time that was issues that then they would put into an RFP rather than an Invitation to Bid and they could then evaluate based on things such as location, etc. He also said if the bid document did not specify that up front, they should not make a decision based on something that was not in the bid document. He further stated they could decide to reject all bids and then it could then go out as an RFP, but could not be based on a local preference because that was not in their procurement policy.

Commissioner Taylor said her reason to have it re-bid was because of what they had discussed around the Board and one of their priorities around the Board was safety and in the event the particular firm had limited availability to get to an area, then it became a concern.

Chair Holt said she would not vote to table, re-bid or anything else because they were following their procurement policy as of today. She added in the opening statements, they had a motion and a second for approval, and then there was a rescinding of the motion and rescinding of the second and all of it was public record. She added whether they changed their mind or not, she could not vote for something when they already had it out there to get the job done and then decide at the meeting to not do it after opening statements were made in favor of it.

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

Commissioner Taylor said when they have votes, they also have a time for discussion and something very rarely happened and in her opinion needed to happen more often, you take on a valued opinion of your colleagues and when Commissioner Morgan made the statement, he was right because if there was an issue, what they were saying now would be taken into consideration and she added the respected and heard his position and took it a little further with her position to say safety was also an issue and if she could see where a local could offer more, that was where she was paramount. She further stated her reason for withdrawing her motion was to insure they had ample safety around the particular areas and had nothing to do with price.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER TAYLOR OPPOSED.**

**21. Gadsden County Guy A. Race Judicial Complex Public Defenders Office Renovation Project Change Order No. 1**

Mr. Presnell introduced the above item and said it was for a credit change order for the Guy A.

Race Judicial Complex, Public Defender's Office Renovation Project and \$3,571.95 of the contract funding was not required or utilized on the project.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

Mr. Weiss asked that the record reflect that Commissioner Taylor not only voted to approve the change order, she also made the motion for same.

#### **COUNTY ADMINISTRATOR**

##### **22. Update on Various Board Requests**

Mr. Presnell said they had discussed the Courthouse funding and Ag center funding and they did have them in State programs this year as well as the Stevens school for \$50,000.

Mr. Presnell said they had 150 free Bus tokens and all had been given out.

Commissioner Viegbesie asked when they would see the start of the paving of the roads and Mr. Presnell said in the next week.

Commissioner Taylor asked how they were prioritizing which roads were paved first and Mr. Presnell said it was according to the contractor.

#### **COUNTY ATTORNEY**

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

Mr. Weiss said he had nothing to report but was available for questions.

Commissioner Taylor said she was not very studious of "attorney jargon" and asked him to explain if slot machines had been approved and he said not at the present and explained the process. He said the prior First DCA decision, which came from a panel of three judges, reversed DBPR's denial of the license, which would give Gretna Racing the right to have slot machines. He added that since that opinion, DBPR moved for rehearing and the rehearing was granted and in the interim, one of the judges retired and was replaced by a new judge. He further added the new judge voted to uphold DBPR's denial of the license, which meant no slots. He said like the prior opinion, there was a question certified to the Supreme Court as to what the statute means that Gretna Racing was operating under in order to get their license for slot machines and the intention was for Gretna Racing to ask the Supreme Court to take jurisdiction to answer that certified question. He thought they were going to also ask that the County support that by filing an amicus brief similar to what was done previously defending the County's referendum. Commissioner Taylor said what she understood, the referendum that the County did do was illegal or not accepted because of the process they took. Mr. Weiss said the opinion said the issue was not that the County necessarily did anything wrong, the issue was the County did not have the ability to do anything at all because there needed to be further authorization from either constitutional or legislative authorization for the County to actually present or have the referendum.

Chair Holt said he heard the hearing would be moved up hopefully and said she had spoken to the Chief of Gaming for the Creek Indians and he was looking into keeping it moving.

Commissioner Taylor said it was her opinion, but she was leery when it seemed they were having such a hard time getting this going, they had gotten approval then denied by the same courts.

Commissioner Hinson said “sometimes it’s good to be jocular every once in a while”. He asked Mr. Weiss if they could get a summary of what he spoke of so if asked, he could articulate that. n Mr. Weiss said he had sent an email out to everyone concerning what he had spoken of regarding the casino.

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

#### **24. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County:**

##### **Commissioner Anthony “Dr. V” Viegbesie, Ph.D., District 2**

Commissioner Viegbesie reminded them of the request Mr. Figgers mentioned for Shaw Quarters Community Action Day.

##### **Traffic Calming Devices**

He asked if what they adopted was a policy or ordinance and Mr. Weiss said it was adopted as a policy because there was not enough time to advertise it as an ordinance, but he would prefer it be an ordinance but was a decision for the Board to make.

Commissioner Viegbesie asked if it were appropriate to make a motion for them to consider converting it to an ordinance to be brought back before the Board.

Chair Holt said a motion was not necessary, he could request that it be brought back.

##### **Update on Florida Trail project**

He said he would like the Board to schedule a workshop or public hearing regarding the project and if the trail project was abandoned completely, the money would go to another county. He asked they pay close attention to this project.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO PROCLAIM NOVEMBER 15<sup>TH</sup> AS PASTOR BENJAMIN WILLIAMS DAY TO REPRESENT HIS 25<sup>TH</sup> ANNIVERSARY.**

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO RECOGNIZE AROMATHERAPY WORKPLACE IN HAVANA.**

##### **Commissioner Gene Morgan, District 3**

Commissioner Morgan wanted to reiterate what he had mentioned at the last meeting regarding potential paving to complete the unpaved roads in the county and asked if a workshop needed to be scheduled.

Commissioner Viegbesie asked Commissioner Morgan if he was suggesting the present arrangement where each commissioner had a specific amount of money with which to determine the roads in their district to be paved and put all the money in one pot and use it for the unpaved

roads across the county. Commissioner Morgan said no, he was not talking about the project already in place, that was underway and phase two was coming behind that. He added once the two phases were completed, it would take approximately \$3 Million to pave the remaining unpaved roads and he would like to move forward on that.

**Commissioner Sherrie Taylor, District 5**

Commissioner Taylor said she had nothing to report.

**Commissioner Eric Hinson, Vice Chair, District 1**

Commissioner Hinson reminded them of Havana Gospel fest 2015 was to be held at the old Havana Northside High school on October 24<sup>th</sup> from 1:00 – 5:00 p.m.

He added that he was very compassionate regarding kids and senior citizens and sometimes they had to agree to disagree.

**Commissioner Brenda Holt, Chair, District 4**

Chair Holt said there were two vacancies coming up soon with the County Administrator and the Assistant Manager and the needed to look into replacements and would like to see something within the next two meetings regarding their projections for the County and what needs that needed to be worked on.

Commissioner Viegbesie said he was a firm believer of succession planning to make the process go smooth.

Mr. Presnell said he could bring something back at the meeting after next.

Commissioner Taylor said they had no authority over the Assistant Manager position and Chair Holt said she was looking for direction from the Board.

Commissioner Morgan agreed with Commissioner Viegbesie regarding the succession planning and did not want the Manager and the Assistant to exit at the same time and felt it would be wise if the current administrator was willing to continue for another two years.

**RECEIPT AND FILE**

**25. Proclamation Honoring Millie Forehand**

**UPCOMING MEETINGS**

**26. October 22, 2015 – Regular Meeting**

Gadsden County Board of County Commissioners  
October 6, 2015 – Regular Meeting

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 8:05 P.M.**

**GADSDEN COUNTY, FLORIDA**

---

**BRENDA A. HOLT, 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 OCTOBER 20, 2015 AT 6:00  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1-arrived late  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3-absent  
Sherrie Taylor, District 5-arrived late  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE**

Chair Holt called the meeting to order at 6:01 p.m., asked for a moment of silence and then led in 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**

Mr. Presnell said he would like to add Item 2A-Presentation by Michael Dooner.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 3-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED.**

- 2A Presentation by Michael Dooner, Vice President of the Florida Forestry Association, concerning Forest Week in Florida.

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Presentation: Scott Town Park**

**Steve Cutshaw, Park Manager of Torreya State Park and also representing DEP**, appeared before the Board and presented a check in the amount of \$50,000 for the benefit of Scott Town Park renovation.

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

**2. Recognition of Aromatherapy Workspace, Havana, FL**

Mr. Presnell introduced the above item. Jane Brower appeared before the Board and they presented a plaque to Ms. Brower. Commissioner Viegbesie said this business helped with the improvement of quality of lives in the community

- 2A Michael Dooner, Vice President of Florida Forestry Association**, appeared before the Board concerning Forest Week in Florida and passed out for the Board a State of Florida Resolution from the Governor designating the week of October 18-24, 2015 as Working Forests Week in the State of Florida.

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

#### **CLERK OF COURTS**

Clerk Thomas was present and had nothing to report.

#### **CONSENT**

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY CHAIR HOLT, THE BOARD VOTED 2-1 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA. COMMISSIONER HINSON OPPOSED.**

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

#### **4. Approval of Minutes**

- a. August 18, 2015 – Regular Meeting
- b. September 1, 2015 – Regular Meeting
- c. September 15, 2015 – Regular Meeting

#### **ITEMS PULLED FOR DISCUSSION**

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

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

**Charles Morris, 23201 Blue Star Highway, Quincy, FL** – Gadsden United.com, appeared before the Board concerning Gadsden United.com, and said they were not to be confused with any other Gadsden United.

He spoke of things Gadsden United.com was pushing for and said they had been holding a series of town hall meetings over the past several months with over 800 people in attendance. He said there would be a mass meeting on October 30<sup>th</sup> at 6:30 p.m. at East Gadsden High. He said food would be available along with childcare services. He said they had been able to solve some issues already: 1)With the Spanish-speaking population, they did not understand the bus schedules and thanks to the County Staff, the bus passes were translated into Spanish; 2) Another issue in the St. John/Havana-there was a problem with a flashing yellow light and they were hoping to hear good news from the Federal Department of Transportation, but in the meantime, after the speed study, were hoping it proved that the speed limit could be reduced; 3) Fire service in communities-He said in particular was in Greenshade area and hoped to get volunteers in the needed area to help fight fires as a short-term solution; 4)Citizens' Bill of Rights-He said this matter had come up at almost every meeting they had conducted; and 5) Televised Meetings-He would like to see the meetings televised to the public would be able to see it on the television.

#### **PUBLIC HEARINGS**

#### **5. PUBLIC HEARING:(QUASI-JUDICIAL)-Talquin Electric Cooperative, Inc. Hinson Substation Expansion Special Exception (SE-2015-01)**

Mr. Presnell introduced the above item and said this was a public hearing to request approval of a special exception use application to expand an existing Talquin Electric Cooperative facility located on Potter-Woodberry Road. He also said it had received unanimous support from the Planning and Zoning Committee.



**Bill James, Talquin Electric**, was sworn in by the Deputy Clerk and appeared before the Board and said the current substation was old equipment and had been there for 30 plus years and needed to be rebuilt and increased in capacity.

Chair Holt asked if anyone in the audience had any comments and there was no-one.

Commissioner Hinson said it had been rumored that storm water was coming to the area and asked what they knew about it. Mr. James said he was associated with the electrical division only and that was a different department of Talquin.

**Bert Connolly, 2847 Royal Oaks Drive, engineer with Jim Stidham and Associates**, was sworn in.

Commissioner Hinson asked about microwave communication poles and if it would cause cancer. Mr. Connolly said no.

**A MOTION WAS MADE BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE. BEFORE THE VOTE WAS TAKEN, COMMISSIONER TAYLOR HAD QUESTIONS.**

Commissioner Taylor asked Mr. Presnell under his recommendation it said discretion of the Board and asked if there was something that kept him from making a recommendation. Mr. Presnell said most of the planning items that involved special exceptions, they had been putting it for a while "Board Discretion". She asked if he saw any issues and he said no.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE ITEM.**

**6. PUBLIC HEARING: (QUASI-JUDICIAL)- Talquin Electric Cooperative, Inc. Hinson Substation Expansion Special Exception (SE-2015-03)**

Mr. Presnell introduced item and said it was a public hearing to request site plan approval to expand the existing Talquin Electrical Cooperative electrical substation located on Potter-Woodberry Road.

Chair Holt asked if anyone in the audience was in favor or opposed to the item and there was no-one.

**COMMISSIONER VIEGBESIE MADE THE MOTION TO APPROVE AND COMMISSIONER HINSON MADE THE SECOND. COMMISSIONER HINSON HAD QUESTIONS.**

Commissioner Hinson asked if there were any health issues and Mr. Connolly said none that he was aware of.

Commissioner Viegbesie said if there were anything detrimental with this project he would have been "kicking and screaming in opposition" because this was in his backyard.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS MATTER.**

**7. PUBLIC HEARING: (LEGISLATIVE)-Adoption of Ordinance 2015-012 for the amendment to Chapter 1, Administration and Enforcement; Chapter 6, Subdivision of Land; and Chapter 7, Development Orders, Development Permits, and Development Agreements, of the Gadsden County Land Development Code**

Mr. Presnell introduced the above item and said it was for consideration of adoption of amendments to Chapter 1, Administration and Enforcement; Chapter 6, Subdivision of Land; and Chapter 7, Development Orders, Development Permits and Development Agreements of the Gadsden County Land Development Code..

Chair Holt said this was a public hearing and asked if anyone in the audience had comments either for or against this item and there was no-one.

Chair Holt asked Mr. Weiss if he had any concerns and he did not and added that he had reviewed it and worked on it with the Planning Director.

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

**8. PUBLIC HEARING: (LEGISLATIVE)-For Transmittal of the Amendment of the Conservation Element of the Comprehensive Plan to the Department of Economic Opportunity for Review**

Mr. Presnell introduced the above item and said this was part of the process for the amendment of the Conservation Element of the Gadsden County Comprehensive Plan.

Chair Holt said this was also a public hearing and asked if anyone in the audience had any comments and no-one did.

Commissioner Viegbesie asked the attorney if there was anything he was concerned with and he stated no and he had also worked on it with the Planning Director.

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

/Hinson 4-0

**9. PUBLIC HEARING: Adoption of Resolution No. 2015-014 a Resolution of the Board of County Commissioners of Gadsden County, Florida Authorizing the Substitution of the County's Revenue Bond, Taxable Series 2014B (Public Safety Academy Housing, Inc. Project); and Providing an Effective Date**

Mr. Presnell introduced the above item and said it was for a resolution authorizing the substitution of Gadsden County's Revenue Bond, Taxable Series 2014B (Public Safety Academy Housing, Inc. Project).

Mr. Weiss said this was for adoption of Resolution 2015-014 to substitute Gadsden County's Revenue Bond Taxable Series 2014B to correct an error in the bond regarding the amortization period.

Chair Holt asked if there were any comments from the public and there were none.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER TAYLOR, THE**

**BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**GENERAL BUSINESS**

**10. Revitalization of Adams Street Via Street Murals**

Mr. Presnell introduced the above item.

Chair Holt said she attended a workshop in St. Petersburg and toured some of the buildings. She had a slideshow to show the Board and audience.

**Sarah Figgers, 930 W. Crawford Street, Quincy, FL**, appeared before the Board in support of the murals.

**Joe Monroe, Director of MainStreet Quincy**, appeared before the Board in support of the murals and also read an email from Grace Robinson, Gadsden Arts Center who was also in support of the murals.

Commissioner Viegbesie attested to the importance of the murals and asked how it could be protected from graffiti and asked the fiscal costs to the County.

Chair Holt said her motion that she would soon make would be for up to \$10,000 from contingency funds.

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

**UPON MOTION BY CHAIR HOLT AND SECOND BY COMMISSIONER, THE BOARD VOTED 3-0 BY VOICE VOTE TO APPROVE THE MURALS AND FOR THE FUNDS TO COME FROM CONTINGENCY FUND UP TO \$25,000.**

**11. Telogia Creek Road COGP Agreement**

Mr. Presnell introduced the above item and said it was for Board approval and signature of the FDOT CIGP agreement for the paving of Telogia Creek Road.

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

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

**12. CR 65B (Bettstown Road) SCOP Agreement**

Mr. Presnell introduced above item and said it was for Board approval and signature of the FDOT SCOP agreement for the paving of CR 65B (Bettstown Road)

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

**13. McPhaul Road SCOP Agreement**

Mr. Presnell introduced the above item and said it was for Board approval and signature of the FDOT SCOP agreement for the paving of McPhaul Road.

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

/Hinson 4-0

**14. Howell Road SCRAP Agreement**

Mr. Presnell introduced the above item and said it was for Board approval and signature of the FDOT SCRAP agreement for the paving of Howell Road.

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

**15. Brickyard Road SCRAP Agreement**

Mr. Presnell introduced the above item and said it was for Board approval and signature of the FDOT SCRAP agreement for the paving of Brickyard Road.

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

**16. Peck Betts Road SCOP Agreement**

Mr. Presnell introduced the above item and said it was for Board approval and signature of the FDOT SCOP agreement for the paving of Peck Betts Road.

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

**17. Approval to Award RFP 2015-018 to develop the Gadsden County US-90 Corridor Master Plan, Calendar of Festivals and Natural Resources, and Vision Statement funded by Florida DEO, to Chisano Marketing Group, and authorize the Chairperson to execute the Agreement with Chisano**

Mr. Presnell introduced the above item and said it was for Board approval to award RFP 2015-018 to develop the Gadsden County US-90 Corridor Master Plan including a calendar of festivals and events.

Commissioner Hinson asked how much marketing experience they had and Mr. Presnell said they had done work with the County in the past.

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

**18. Approval of the 2016 Holiday Schedule**

Mr. Presnell introduced the above item and said it was for Board approval of the 2016 BOCC Holiday schedule.

**COMMISSIONER VIEGBESIE MADE THE MOTION TO APPROVE AND COMMISSIONER HINSON MADE THE SECOND AND HAD A QUESTION.**

Commissioner Hinson asked if they had considered giving the employees the Wednesday off

before Thanksgiving.

Commissioner Viegbesie pointed out there was a motion and second on the floor and this might could be considered in the future.

**CHAIR HOLT CALLED FOR THE VOTE OF THE STANDING MOTION. THE BOARD VOTED 4-0 TO APPROVE THE HOLIDAY SCHEDULE AS PRESENTED.**

**COUNTY ADMINISTRATOR**

**19. Update on Various Board Requests**

Mr. Presnell said a memo had been sent out regarding Bulky Item Pickup and asked the Commissioners to help spread the word in their districts.

**Workshop to discuss Dirt Road Paving**

Mr. Presnell said a workshop would be held on November 3<sup>rd</sup> at 4:30 prior to the next meeting.

**Bike Trail**

Mr. Presnell said a workshop with DOT would be held on November 5<sup>th</sup> at 6:00 p.m. concerning the bike trail.

Commissioner Viegbesie said he had requested a workshop with the hospital concerning their contract, etc. and asked the status of that. Mr. Presnell said they were getting close; there had been a number of meetings and conference calls.

**COUNTY ATTORNEY**

**20. Update on Various Legal Issues**

Mr. Weiss said he had a couple of updates.

**Supervisor of Election equipment**

He said they still intended to purchase new voting equipment and was on target to be here and installed to use for the next election. He said the problem was the Division of Elections had promised money (reimbursements over a five year period) for the purchase of the new voting equipment and was going to be financed through an affiliate of the vendor who was selling the equipment. He said a few different proposals had been received concerning financing and leasing and were not acceptable because they were agreements the County could not legally enter into. He said in speaking with the County Administrator and the Finance Director, there was enough money to do a budget amendment to purchase the equipment outright.

Chair Holt asked that this be placed on the next agenda and asked if other counties were experiencing same problem. Mr. Weiss said to best of his knowledge no other county attorney was recommending the execution of the agreement.

Mr. Weiss said no proposal had been received as of yet, but they were planning to have this placed on the agenda when they received the supporting documentation.

Commissioner Taylor asked if there was a purchase price of the equipment and Mr. Weiss said it

was approximately \$200,000. Commissioner Taylor then asked if that amount was budgeted. Mr. Weiss said the money was in reserve and a budget amendment could be done for the total purchase price.

**Gretna Racing v. DBPR**

Mr. Weiss said Gretna Racing filed a Notice to Invoke the Discretionary Jurisdiction of the Supreme Court to answer the certified question.

He also said he sent everyone the proposed agreement for Human Services funding for the proposed grant agreement to be able to get it back on the agenda to be able to provide it to the different entities.

Commissioner Hinson asked if they had discussed this at last meeting and Mr. Weiss said this was something Staff had decided it would be beneficial in order to protect the County and to make sure everyone who received budget appropriations understood what they needed to provide in order to receive the funding and it outlined those things. Commissioner Hinson said he was curious because he thought the Board had given Staff direction and there was a lot of dialogue a couple of years ago and gave direction at that time on how they wanted everything to handle the situation and wondered why would Staff go to the attorney and ask him to look into something after the Board had given direction already. Mr. Weiss said Staff was not making any decisions with respect to how it worked, was a matter of documentation and there was currently a county policy in place and they were just putting that into an agreement and putting in protection to make sure everyone understood what sort of documentation needed to be provided in order to receive the funding. Commissioner Hinson said this was done a couple of years ago and asked if something was wrong with it. Mr. Weiss said he did not recall that and it was consistent with county policy.

**DISCUSSION ITEMS BY COMMISSIONERS**

**21. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**Commissioner Anthony "Dr. V" Viegbesie, Ph.D., District 2**

Commissioner Viegbesie strongly suggested that any road improvements on CRPTA list be brought to the attention of the County Administrator and he could give the list to him.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO RECOGNIZE THE HAVANA KIWANIS CLUB ON BEHALF OF WHAT THEY HAVE DONE FOR CHILDREN OF HAVANA AND GADSDEN COUNTY.**

**Commissioner Gene Morgan, District 3**

**Commissioner Sherrie Taylor, District 5**

Commissioner Taylor said she had a question regarding the Chisano Marketing Group that was approved earlier. She asked about the festivals and other events they were going to be doing.

Mr. Presnell said they were going to identify along the main corridor through the county every event that would go on, but no new promotions.

Chair Holt said Chisano was a marketing group but was only dealing with events currently going on.

**Commissioner Eric F. Hinson, Vice Chair, District 1**

Commissioner Hinson said at the last Public Safety Coordinating meeting there were a lot of great things going on and he would like to have a press conference regarding same. He added with the start of the work program, they had been able to lower the number of people in jail. Mr. Presnell added to date there was almost 200. Commissioner Hinson said that was his press release.

Commissioner Viegbesie asked for clarity and if he wanted a press release or press conference and Commissioner Hinson stated he would like a press conference.

Commissioner Hinson then thanked the Public Works department and all the departments because the public called him all the time and he has heard great things regarding the departments.

Commissioner Hinson said regarding the GCDC, he had received a phone call where a member had requested the plan or goal (vision) and asked when they planned on bringing out because they had been waiting the past year and half for that.

Chair Holt explained when they presented, they brought the plan at the same time.

**Commissioner Brenda A. Holt, Chair, District 4**

Chair Holt said she had received a Speaker Request Form turned in late by Sam Hawkins and pointed out that had been passed on agenda and they did not address them later in the meeting. Mr. Hawkins stated he had traveled from Alabama to make this meeting.

**RECEIPT AND FILE**

**22. FDOT Letter-October 5, 2015-CR159 Bridge over Attapulugus Creek**

**23. FDEP Letter-October 6, 2015-2014-2015 Torreya State Park Economic Impact Assessment**

**UPCOMING MEETINGS**

- a. November 3, 2015-Regular Meeting
- b. November 17, 2015-Regular Meeting

Gadsden County Board of County Commissioners  
October 20, 2015-Regular Meeting

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 7:32 P.M.**

**GADSDEN COUNTY, FLORIDA**

---

**BRENDA A. HOLT, 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 NOVEMBER 3, 2015 AT 6:00  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
Sherrie Taylor, District 5-arrived late  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Chair Holt called the meeting to order at 6:00 p.m., asked for moment of silence and then led in the Pledge of Allegiance to the U.S. Flag. A silent roll call was taken by Deputy Clerk, Marcella Blocker.

**AMENDMENTS AND APPROVAL OF AGENDA**

Mr. Presnell said he wanted to pull Items 2 under Awards and Presentations and Item 6. He said he would also like to add Item 17A-Travel Approval for TDC

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

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

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Recognition of the Havana Kiwanis Club**

Mr. Presnell introduced above item. Scott Whitehead appeared before the Board representing the Club to accept the plaque. Commissioner Viegbesie read aloud what was on the plaque.

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

**2. ~~Proclamation (World Pancreatic Cancer Day)~~**

Item pulled

**CLERK OF COURTS**

**CONSENT**

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

- 3. Ratification of Approval to Pay County Bills**
- 4. Approval of Minutes**
  - a. October 6, 2015-Regular Meeting**

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

**ITEMS PULLED FOR DISCUSSION**

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

**Pastor Charles Morris, 23201 Blue Star Highway, Quincy, FL-** appeared before the Board regarding United Gadsden and added that they changed the name so to not be confused with any other organization in the County. He said that during their town hall meetings one of the issues or concerns that has come up were the commission meetings being televised and would like that brought back before the commission and be funded. He said another item he would like to see and President Obama had a press conference on it was for an executive order for all federal applications to ban the box for convicted felons. He said he would like to see eventually that that be tied in with contracts with the federal government.

Chair Holt recommended he get with the Administrator to have the items added to the agenda.

**Viola Baker, 275 Date Avenue, Gretna, FL-**regarding Gretna Senior Citizens and grant for Seniors-appeared before the Board concerning the Gretna Senior Citizens. She said they had first started out at Springfield AME and there were so many seniors coming they moved it to the Helen B. Franks Building in Gretna and said Commissioner Helen Franks was a volunteer and they had different activities there and needed help. She added it enabled the Seniors a way to get out and asked the Board to “do us good justice and give us the funds that we need to have out in Gretna for our Senior Citizens”.

**Commissioner Helen Franks, PO Box 31, Gretna, FL 32332-**funding for Gretna Senior Citizens Program-appeared before the Board. “As she said, I’m Helen Franks from the City of Gretna. I’ve been a volunteer with the Senior Citizens for fifteen years. I started out as Springfield AME Church when we had a group of about 20 and there was other people that was interested and they wanted to join and what happened, we moved to the Helen B. Franks Community Center where now we serve from 35-50 people because we got some additional funds that were promised to us. We were promised from this Board \$10,000, \$10,000 there were no stipulations given to is. They just said ‘We gonna give you \$10,000 to help you out with your program’, followed all rules that we normally follow when we spending somebody else’s money, had every receipt, turned then in, we, all the money was spent for the senior citizens. Now there was questions about stuff that were purchased like household goods and stuff. They came from the Dollar Tree, that’s a dollar gift that they won at Bingo, those are Bingo prizes. The food that was, we fed them, gave them a meal because they don’t, we don’t qualify or they don’t have enough meals at the Senior Citizens (inaudible) to feed them, to feed us because I’m a senior citizen as well. So what happened, I purchased meals, so that’s where the feeding came in, we purchased meals so we could feed them and then they go home. They are out mingling with other people and they are having a lot of fun, we have a lot of fun. We start out with an exercise program and go into other different activities. We have different stickers to come in and, you know, we been meeting this month at the Center for over a year. I was promised by Mr. Presnell and our Commissioner in our district, Brenda Holt, Chairman Brenda Holt that we were going to get \$10,000. Now somebody is reneging on it. I’m sorry, that’s what I can come up with. We have spent this money because I was told we had it. Anybody gonna give me some money, I’m gonna go out and spend it, I’m not gonna hold on to it and, but

we spent it and it was spent for what the purpose that we were given it for, it was spent for the Senior Citizens. Every penny was spent for those senior citizens. I brought a bunch of them with me to witness that we had activities, we done it. We done everything. All of it was spent, I never spent a penny for nothing but for the Senior Citizens and I did it because I was promised the money, I thought we had it until recently they, they said that we don't, they're not gonna pay us and we need our money. That's why I'm here tonight. A promise, I'm like a child now, a promise is a promise and I mean, I need you to hold up, hold onto that promise, give us the money, not only for this past year, the year that we finished the program that we've been working, we need to continue the program so we still need additional funds so we can continue. Without your help, we can't do it. We are from a poor city. Gretna don't have the money to give up so that we can have these kind of activities, that's why we were meeting in the Church. The Church got to where they couldn't fund the program. They just couldn't fund it. So then we got a chance to move out and got some promised money, promised, it was promised money so that we could do some expand. Got more seniors coming in, more still coming in. People retiring every day and when they retire, they join us and now We don't have the funds to continue the program as well as pay for the ones, to pay for the money that I have spent, and I spent it, because it was promised to me, **personally** I was told that we were going to get the \$10,000. I had every receipt for every item that was purchased. I turned it in to the City every day that I purchased stuff for the Senior Citizens. I did everything that I thought I was supposed to do. When I worked for the State, I purchased items for the patients there, I returned the receipts and when I finished shopping, I did the same thing every time I shopped for the City, I always brought receipts back in. I did the same thing with the money that you promised me that I thought I had. So that's where we are today. We need the funding that you promised us and we need continued funding. I think that's about all I had to say, I want I didn't leave anything off my notes. Oh, like I said, we done, I've done everything I could to make sure that money was spent correctly, it wasn't spent incorrectly. Those things that's been, the letters that we been getting saying that they were supposed to be done this way and that way had no idea what it was supposed to been done, they just said the money was ours and we spent it according to our rules. Thank you."

**Chair Holt**

"Commissioners, this item was voted on and that's why it's not agendaed. Normally we don't comment, We say get with the Manager, whatever. This item has been voted on, it was agendaed and We were, the City of Gretna was following what We did and we voted on it and we told them that we voted for all the Senior Citizens in Havana, Chattahoochee and Gretna to get up to \$10,000, so this was not a new item, it's not agendaed for tonight because if I'm not mistaken Mr. Attorney, it said something in the State law that said you do not have to come back for an item that was already voted on, I don't have it right in front of me, but you don't have to come back and vote on another item if the Clerk's Office didn't find anything that was illegal, then it would have to be paid, if it was not illegal, so I'm looking to you for that verbiage, what does it say?"

**David Weiss**

"Yes, and I, under our Rules we should probably defer any conversation on this until maybe Commissioner Comments later, but generally, yes, that is an accurate statement once the County Commission has made a legislative determination that it served a public purpose, then the Clerk, after reviewing the items to make sure they are legal, can pay the items, but the Clerk dies have an obligation to review to determine whether or not they are legal."

**Chair Holt**

"Right, and so by that, it means if something's not paid, then it had to be defined as being illegal, so if it's determined legal or illegal, it should be addressed in writing saying that something is illegal. If it's not illegal, then we need to address it, either way we need to address it because we voted for them to get the money. Yes sir?"

**Commissioner Morgan**

"Madam Chair, and Mrs. Franks, thank you for your comments. I've kind of stayed pretty close to this situation because what's been going on at Chattahoochee as well in talking with the Administrator. But I think, shouldn't this re-agendaed for us to discuss it in the future since this is actually Citizens Comments and while we certainly want to be made aware, if we have further discussion and action, I have no problem with re-agendaing this for the following meeting and let's have this discussion there as far as moving forward. Would that be appropriate you think?"

**Chair Holt**

"I'm not thinking that so, the reason I'm saying that is because and it's contrary to what State law says, it says that you don't have to re-agenda it because once you give an order, a legislative order for it to be done, then it's to be done unless something was found to be illegal. So now what I'm saying is, it needs to be found to be illegal, something has to be found that is not appropriate or illegal that breaks the law. But I do agree with the attorney to take care of other commissioners' comments and that way we can determine then what we want to do with it."

**Commissioner Morgan**

"Yeah, that's all I'm saying, just moving forward..."

**Chair Holt**

"I don't think we should go back and agenda it because we've already voted once it was done, it was done. Ah, but Commissioner Franks, I really do appreciate, Seniors, would you please stand up? I hate for you to come out there and say we didn't even recognize you. Alright, thank you for coming out."

**Commissioner Franks**

"I said I but we have over eight volunteers. Our program is on a volunteer basis, we run this program out of just volunteers so I just want you to know none of the money was spent on funds for our salaries or anything. It was strictly for the use of the Senior Citizens. Thank you."

**Chair Holt**

"OK, thank you so much..."

**Commissioner Hinson**

"If they could hold off about another 45 minutes, we should be finished..."

**Chair Holt**

"Yeah, we're going to try to move on so you don't have to stay too late, if you're like me I started going to sleep early now, OK? What we are going to do is ah, we're going to look at this item, if not, we may have to take a break ah, in this, in a meeting or something like that

between some items and we may have to address it then, but we don't want you to have to stay up late up here with us. Hold on just a minute."

(Chair Holt had a sidebar with Mr. Presnell)

"Mr. Presnell was just showing me another law, I know I studied it quite a bit and it says the same thing that we should not have to make another determination once we did that. So we need some legal advice on this and then we will know how to move forward. So Mr. Attorney, it's going to be on you at the end of the meeting. OK, next item."

**Commissioner Morgan**

"Madam Chair, I was just going to suggest, I mean, I hate for the Seniors to stay around for that extra hour if we can't do anything moving forward, but that's up to, I mean you are obviously the Chair, I just wondering..."

**Chair Holt**

"If you want to address it now, it's fine with me."

**Commissioner Morgan**

"I'm just saying is there anything that we're going to be able to do moving forward since we've already done it is my question and that's a question for the Attorney I guess."

**Chair Holt**

"Well, I don't know what your statement was, I'm sorry, Dr. V was saying something to me."

**Commissioner Morgan**

"So, you're saying that we mentioned this moving forward in the Commissioners' Comments at the end of the meeting. What I'm saying is, based on what I thought I was hearing and I think what the Administrator was saying, there is no further action for us to take on it."

**Chair Holt**

"Other than legal, you can always take legal, because either the Clerk's going to pay or he's not and we're going to end up in legal battle or not, but one way or another we have to make some determination. Cannot say we vote on something, we rule on it, we say this is what it's going to be, but then we don't have anything to say what we did was illegal then it must be followed."

**Chair Hinson**

"Madam Chair is there any way possible, I'm not sure, can we just move this up first, talk about it first, then we'll start..."

**Chair Holt**

"It's possible if the Attorney's ready."

**Commissioner Viegbesie**

"Is it legal, is that the appropriate thing procedurally?"

**Mr. Weiss**

"I think procedurally, I mean I'm certainly prepared to discuss, but procedurally I think we need to follow the Agenda and, I mean, our rules are pretty clear in terms of not having

Commissioner comments during Citizens To Be Heard.”

**Chair Holt**

“OK, we’re going to move the Agenda then. Let’s move it. OK?”

**PUBLIC HEARINGS**

**5. PUBLIC HEARING (FIRST): Community Development Block Grant**

Mr. Presnell introduced the above item and said it was the first required public hearing to apply for a Community Development Block Grant and the 2016 Small Cities Community Development Block Grant required an applicant to hold two public hearings.

Chair Holt announced it was a public hearing and asked if there were any comments from public and there were none.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON,  
THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**6. PUBLIC HEARING (LEGISLATIVE): Small Scale Comprehensive Plan Map Amendment from AG 3 to AG 1 on 5 acres Along Cox Road at the Florida/Georgia State Line (CPA 2015-04)**

Item pulled

**7. PUBLIC HEARING: Approval of Budget Amendments #16002 and #16003 and Resolution #2015-021 for Funding of the Election Equipment**

Mr. Presnell introduced above item and said it was for approval of Resolution 2015-021 fir Budget Amendment number 16002 and 16003 and for authorization for the County Administrator and the Clerk’s Finance Director to execute amendments and authorize the Chair to sign the Resolution.

Chair Holt announced it was a public hearing and asked if there were any comments from public and there were none.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE,  
THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**GENERAL BUSINESS**

**8. Approval of and Authorization for the Chairperson to sign the Certification of Single Source Provider to the Division of Elections, the Sales Order Agreement with Election Systems & Software, LLC for the Purchase of New voting Equipment, and the Memorandum of Agreement with the Department of State for Reimbursement of the Funds Expended for the Purchase of the New Voting Equipment**

Mr. Presnell introduced above item and said it was for approval of and authorization for the Chair to sign the Certification of Single Source Provider to the Florida Department of State, Division of Elections for the purchase of new voting equipment and the Memorandum of Agreement with the Department for reimbursement of the funds expended for the purchase of the new voting equipment.

**COMMISSIONER HINSON MADE THE MOTION TO APPROVE OPTION ONE AND  
COMMISSIONER MORGAN MADE THE SECOND WITH A QUESTION.**

Commissioner Morgan asked if the actual equipment and the provider recognized through the State of Florida.

Mr. Presnell stated Mrs. Knight was available for questions.

**Shirley Knight, Supervisor of Elections**, appeared before the Board and said she had no reservations, they had been using the vendor since the early 80's and they were just upgrading the equipment because some of the equipment they had, they would have to continue to use, for example the disability and ADA equipment and all they were doing was upgrading. She added that last the Secretary of State sent out letters recommending if the equipment was more than ten years old, they should consider replacing that. She said the equipment was about in 2002 and they were having to do maintenance on it yearly and was time to replace.

Commissioner Morgan asked with this expenditure, she would have adequate equipment and Mrs. Knight replied yes.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE ITEM.**

**9. Approval of the Distribution of Funds for the FFY-2015 Edward Byrne Memorial Justice Assistance Grant (JAG)**

Mr. Presnell introduced the above item and said it was for Board approval for the distribution of funds for the Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$37,519.00.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**10. Appointment/Reappointment and Alternate to Serve as Gadsden County's Representative on the Transportation Disadvantaged Coordinating Board**

Mr. Presnell introduced the above item and said it was for appointment or re-appointment to serve as the Chairperson of the Gadsden County Transportation Disadvantaged Coordinating Board and to select an alternate also.

**UPON MOTION BY CHAIR HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO REAPPOINT COMMISSIONER HINSON.**

**11. Request Review and Approval of Student Intern Policy**

Mr. Presnell introduced above item and said the Board Staff had requested a review of the approval of the Student Intern Policy.

**Chair Holt**

"On this item, am, I'm not sure if this is the right terminology because I was thinking about assistants and so, when I looked at this item, I would want the young people to learn about being in government, not so much working at Public Works or working as a secretary or working

down in Probation, I'm more interested in them being out there working in government under elected officials. That's what I'm thinking, that's my whole process is that if they are going to do that then I'm more happy with it than I am and not necessarily being supervised by a County Commissioner, but I want them to learn government part. Because they could learn how to be a secretary anywhere. They could learn some of these things anywhere. We need new leaders. I'm hoping something that of more of that nature than it is just coming to work in a department. Commissioner Viegbesie?"

**Commissioner Viegbesie**

"Madam Chair if I hear you correctly, are you in this particular item looking at something more an aide than an intern?"

**Chair Holt**

"Yes sir."

**Commissioner Viegbesie**

"Someone who would actually understood the policy making process of government as opposed to the executive part of government, which is interning."

**Chair Holt**

"Right, that's exactly what I thought that we were going to do with those positions, I'm more in favor of that than anything else, ah, so that way that we can get people out there that active in government because hopefully all of us are going to eventually do something else and we want our young people to be up on what local government should be and I thing that would work out a lot better. I looked at this description and I wasn't in favor of it at all where it is right now. That's my opinion. Commissioner Morgan."

**Commissioner Morgan**

"Thank you Madam Chair. So for position, if I understand you correctly, you are looking to offer an opportunity for young people to learn more about government, their local government and setting policy and things of that nature, or..." (Chair Taylor started to speak) "OK, I'm sorry"

**Chair Holt**

"Not necessarily because they would get that in Government class. What I'm looking at is for them to be on the ground doing some of this..."

**Commissioner Morgan**

"For learning experience..."

Chair Holt

"Yes."

**Commissioner Morgan**

"So my question would be what's limiting us from offering them that opportunity now? Why do we have to pay them to do that?"

**Chair Holt**

"Because people work for pay."



**Commissioner Morgan**

"But this is an opportunity for them to learn I was thinking..."

**Chair Holt**

"Right, but you learn better when you've got a little money in your pocket. It's not much because you're only talking about \$10,000 for everyone you get. If you get five aides you are going to have five aides and you're are still not going to spend any more than \$10,000.

**Commissioner Morgan**

"Well I guess that's \$10,000 we could use for our senior centers I guess."

"Chair Holt

"We already put money in that and the Clerk won' give it to them, so, we can't do that."

**Commissioner Hinson**

"Can I ask a question real quick? Just curious"

**Chair Holt**

"Sure."

**Commissioner Hinson**

"What was the reason why you brought this up? Because I had a couple of questions here." (Mr. Presnell pointed to where the Clerk sits.) "No, no, I want you to answer that question for me Robert because I won't attack no staff, because someone attacked me for bringing this up. I'm the County Commissioner. So, I want you to answer this question."

**Mr. Presnell**

"We had inquiries from trying to get the students paid from Clerk's Office and it was a back and forth and ah, they were wanting clarification on this and that and we brought that to the Board's attention and that's when y'all directed us to, at the last time it was before you, you said 'come up with type of policy and bring it back' and our Human Resource Department checked out neighboring counties and Mr. Lawson could probably explain it better than me, but, because I personally know that they have them in Leon County and I think it has something to do with being a chartered county. Here, ah, it seems that we are very limited by our rules that we have to work under about who signs their timesheet and who supervises them."

**Commissioner Hinson**

"Right."

**Mr. Presnell**

"And that drove the policy that you have before you tonight, but, again this is just a proposal."

**Commissioner Hinson**

"So, so, the Clerk said that."

**Mr. Presnell**

"Yes sir."

**Commissioner Hinson**

"Because, I had a question for Clerk as well, but unfortunately I scratched that off, apparently he knew that y'all was coming" (looking to the audience) "so he decided not to show up."

**Chair Holt**

"Alright Commissioner..."

**Commissioner Hinson**

"So, ah, I had, just give me..."

**Mr. Presnell**

"I think I forwarded those e-mails to all the Commissioners when all that was going on, from the Clerk's Office about who picked them and pay and who supervised them..."

**Commissioner Hinson**

"I mean the reason why I was, the reason why I was looking at this Mr. Presnell, I was like, you know, as a Commissioner, I was surprised that you didn't give me a call because Commissioner Morgan stated during the time that we were, he made the motion that Commissioner Hinson could have student assistants, right? And I was surprised you didn't bring me to the table and say 'Commissioner, what's, what's some of the things that you need' instead of doing it yourself there at the end of the thing here. You are the one instead of a Commissioner determining who many students he want to receive in this form here, you said that ah, from this thing here, it say that you will be the deciding factor of how many students we can bring into this program here. And so, which means that you over-rided me more so, this, this your program other than it's something that they are helping me with. I was kind of perplexed about the whole thing here. Ah, so, if you can, you can, I mean I'm not sure what was the problem, we did not spend, we didn't spend, actually we turned back \$960 back to the County. So we spent less than \$10,000, we didn't spend over \$10,000. We had a pleather of students that was a part of it and got a great experience ah, so the kids enjoyed it, the parents, I was at a church the other day, matter of fact, the Pastor was speaking and a few, two students, one student became the Sophomore of his class at Florida A&M University, other one was ah, was also sophomore last year of his class of the entire university and, we told, these kids from Gadsden County. Ah, we have another student from Quincy, she finished, got her BA degree from Florida State, ah, I'm kind of confused. We doing what we supposed to do, right? So why are we having a problem getting these kids funded. I'm not sure why though, so I'm not sure."

**Chair Holt**

"Commissioner, hold on, just a minute, Commissioner Viegbesie."

**Commissioner Viegbesie**

"Thank you Madam Chair, if I recall correctly my memory serves me right when this item was discussed the last time it came up, I think we are going back to the same conversation again in the way I hear this conversation going. I think this policy was something that the Board requested so that because this intern, as they are referred to are now workers upon being employed to do that work and since that is the case, it should be supervised, the supervision and determination of whose employ should come out of the executive branch of the government and the Chief Executive Office we know is the County Administrator and not to be

run or supervised by a policy maker, a commissioner. So the conversation the last time was not a condemnation of the product, it was actually an issue with the process and the process of how the interns were brought in, who supervised them and who kind of determined what they did during that period in the program was what, if my memory serves me right, was where the confusion was and the recommendation to staff was go and put together a policy for interns so we know for sure who is going to be supervising these interns for insurance papers and all other discussions we had if my memory serves me right. I don't know, I have not gone back to read the minutes for me to know exactly what the conversation was, but that is what my memory recalls. So, now we are going back again to the issue of the process and the product. It's not the product of the fact that it's a good experience for the youth, it's not the issue with the fact that this participant had an opportunity to earn a little money during the time that they were on it, but it is who is actually doing the supervision and who is doing the job description for each of the interns, which is the process. I think that was what the concern was and I think we should look at the process more than we do the product. The product is we want these young people to have the experience but how do we go about it is where the confusion is, that is my understanding."

**Commissioner Hinson**

"Personally I don't have any problem with what the majority of the stuff in here, the problem I have is, you know, first of all, that's the reason why I go to training. I don't rely on my memory, I rely on my knowledge, ah, because when you go to training, you understand and you see other, other commissioners like people from Escambia County on down, they have aides. They have student assistants, they not charter schools, they are charter districts, so I don't listen to the Board, I look at what I have acquired over the years as a County Commissioner so that way I can make a valued decision based on what I have acquired over the years. So, that's the reason I brought this up, ah, and when you talk about a County Manager is determining who you select, that person may select and may not have the same have the same passion, or the same compassion that I have. I got to find somebody who, who pretty much work with me who understand how to serve the people, who love people. I tell all my staff members, I mean, all the youth, I said that you represent me, you love people in the community, you care for seniors, you care for young folk and so, but if they don't have the same drive, then why, if the county commission (inaudible) to me, they may not be the same person that I want. So then you give him the option to, because, if you give him the option to add more than two people, suppose the only thing I want is two, he want four. So, why would he have that, I think he should come to me, we, County Commissioner; I should get my proposal together, right? Just like we did already, I present it to the County Administrator, I gave him all the stuff that fit the need and we work together and once we work together we come up with common thing that it doesn't hurt the district or the County, then, and then we can move, then we can move forward. But I don't think that the County Manager should be the person who making these decisions here, based on what Commissioner Morgan ah, proposed, he said Commissioner Hinson have, he would have, he can select student assistants, if I'm not mistaken Commissioner Morgan."

**Chair Holt**

"Commissioner Morgan jump right on in there."

**Commissioner Morgan**

"Thank you Madam Chair, what, what we approved there was to put it into the budget..."

**Commissioner Hinson**

"That's right."

**Commissioner Morgan**

"Ah, and as we talked about before, that was during a negotiation process for me to get funding for (laughter) Chattahoochee and several different areas, so, ah, it pretty, I mean, listen, whatever the Board, I agree with the comments that Commissioner V made, Dr. V made earlier, we're talking about not the project itself, but now the process and, and..."

**Commissioner Hinson**

"So after you got all your stuff for Chattahoochee, now you want to go back to...(laughter)"

**Commissioner Morgan**

"No, I didn't, no and I, I've been very clear how I feel about aides and interns myself. It was, what we approved was getting into the budget, so, I know where I am on this and I know I believe if it's something that is going to move forward with the Board, I agree with Dr. V as well. This is something that the County Administrator has to oversee, not the Board, not the Board. So, but again, we can disagree on that if we need to, but to (Commissioner Hinson started talking) but..."

**Chait Holt**

"Commissioner, ah, ah, Commissioner, hold on, let me make a couple of comments. OK, in this, and I'm interested, like I said in more of aides than I am in student interns. I would like for them to go back and look at if possible so that we can have aides. Now, employees are employees of the Manager, if they are going to be employees, they are employees of the Manager, we don't get to have employees. But I do see your point, if they are going to be someone that's working out there, let's say in District 2, and that's what they are looking at, doing research and stuff like that for District 2, if that's possible, they would go through the same, maybe same employment process, but an aide would, if they are going to be, that's going to be their area, maybe we need to go back and see if that's possible. If it's not possible, then we're discussing a moot point. OK? So, can we just table this and send it back?" (Several started talking at one time.) "Hold on, hold on."

**Commissioner Viegbesie**

"Yes Madam Chair, that was going, that was going to be the motion I was going to move, that we table this item on the agenda and bring back for a conversation for an aide on this particular..." (Commissioner Hinson tried to speak).

**Chair Holt**

"Let me second it and then you can make your comment. OK, I'll second it. Go ahead."

**Commissioner Hinson**

"The comment I have right here, right, ah, I already explained it, we have someone here. I, I think the process is right. I do agree with Dr. V, Commissioner Morgan you, I hadn't had the opportunity to hear Commissioner Taylor yet, and I do agree with that. The only thing I'm talking, I'm saying here is that, I think they should go through the process, they need to go through the process to get, go through the same process everybody else goes through. I think what we did, we had, we are, we had their director, their boss, ah, Jeff Price, and they was

coming to Jeff if they need some informational help, they go directly to Jeff Price. I don't think we need to change that thought, just keep it going like it is. I think the problem was that we just had, I hired like six students about, four from Havana, two from Quincy, whatever, six students in one month. If that's a problem then we need to go with that piece, which I don't think should be a problem because we still submitted back now \$106.

**Chair Holt**

"OK, Commissioner, the reason I wanted that looked at was not because of that, it's really because of the, the, if you want to work in budget, then you can would in budget, but I think when you are looking at an aide, you are looking at more of the governmental side of it. That's what I'm looking at. Ah, ah, ah, the aide for Congresswoman Graham out here (looking in audience) raise your hand. That's what he does; you see what he's doing? He's at a County Commission Meeting, he's doing everything, he's going to get back with the Congresswoman, he's going to say this, that and the other, that's what, that's that process that I'm really looking for. That's why I want it to be tabled and go back. But, Commissioner, let's move forward..."

(Several people talking at one time)

**Commissioner Viegbesie**

"Madam Chair I call the question..."

**Commissioner Hinson**

"OK, OK, OK, no, see the problem that I have someone here that I promised her, like we said promises, right, that they going to be working tomorrow..."

**Chair Holt**

"You can't, can't do it."

**Commissioner Hinson**

"And so, once you call that question, I'm going to have that person, wait a minute, I'm a grown man like everybody else here. Alright? Ah, value my opinion Dr. V, I know that you got your doctor or title on your back, on your shoulder, but just value my opinion. Don't be shaking your head; I'm a grown man just like you..."

**Commissioner Viegbesie**

"Commissioner, don't go there, don't you go there with me, OK, Madam Chair, I call the question."

**Chair Holt**

"The question's been called, we have to vote. Thank you for standing up Officer. Alright, we are going to call for the vote. All in favor of tabling this item to be brought back to look at the possibility of having aides for the Board, all in favor. "(Vote was 4-1-Commissioner Morgan opposed) "Item passes 4-1. Next Item."

**12. Approval of the Memorandum of Understanding with the Boys and Girls Clubs of the Big Bend, Inc. for FY 2015/2016**

Morgan had question-asked how much and asked for specific amount so each club received equal amounts and if reporting back on how funds spent. Mr. Weiss said under Paragraph 9

explained that.

Hinson said give multiple year funding so would not have to come back before the Board.

Weiss said revise the contract and have them approve with revision. Presnell said with revision make motion for Chair to sign once approved to save time.

Hinson suggested multiple contract with three years-V suggested multiple years at budget time

Holt asked administrator if did multiple year, would still come out each year-yes.

Weiss said could not commit funds for future budget cycle

Morgan approval of option 1 with changes/V 5-0

**13. Discussion of a Succession Plan for the County Administrator**

Mr. Presnell introduced above item.

Hinson said when they hired new Administrator, he should be one to hire new Assistant Manager.

V said he had talked about this many times and think advertising would be good thing and time should be given for newly hired person to have transition and suggested changing title to Deputy Administrator. Suggested advertise and decide when administrator leaving and give him ample time to work with replacement.

Chair Holt asked for clarification,

V said current Administrator's contract up October, 2016, suggesting when deputy hired, extend time for current administrator to work with newly hired Deputy to transition smoothly into position.

V said one person who should be involved with selection was current administrator and

Hinson said understood where V coming from, but Board did not select deputy, Administrator did and person may not be in line with commissioners.

Morgan said not sure if more important topic-could affect 1) tax payers; 2) County Administrator; 3) employees of County. Only way he felt could do that, felt had very good administrator now, he entered into drop program last year so available to work additional 4 years and maybe he could hire new Deputy to groom to take his place who in turn could hire their own assistant.

Taylor asked why not allow Administrator to hire new assistant to work and train, concerned her that possibility of three new commissioners and may affect Administrator

Taylor said needed to pay attention to the will of the Board, when he came in, he could have voted if he chose to,

Morgan asked if Mr. Lawson would be working through the end of his term or if would be taking time off-working through

Chair said no problem if Administrator not doing job putting in motion to terminate but new Administrator should be one to hire assistant.

Holt said not confusing, when new person hired, they would work alongside with current administrator and when time to hire new assistant, they

Morgan asked if need for new Administrator and if majority of Board satisfied, Administrator may want to stay on Board, Holt said if don't put hook out, never catch a fish.

V sked if anything in succession plan that would preclude Assistant applying for Administrator position. David said Board had control over Administrator

Hinson said maybe needed to have retreat to see what Board wanted to do. Chair asked if he meant workshop and he said no, wanted retreat, needed to decide where they wanted to go.

V made motion to workshop succession planning because of new approach of method of hiring and needed time to go through succession planning process and maybe could get succession planning agent to work with them/Holt second

Hinson said wanted retreat not workshop.

Holt 5-0

Morgan stepped out.

**14. At-large Appointment to the Planning Commission**

V reappoint Davis/Taylor 4-0

**15. Approval to Accept the 2015-2016 Mutual Aid Operations Plan between Florida Department of Agriculture and Consumer Services, Florida Forest Service and Gadsden County Fire Departments and the 2014-2015 Annual Forestry Report and Operating Plan**

Hinson/V 4-0

**16. Discussion of Appointment to the Planning Commission**

Taylor to appoint Lori Bouie/Hinson 4-0

**17. Approval of Radio Tower Lease Agreement with Mobile Communications of North Florida, LLC.**

V/Hinson 4-0

Morgan returned

**17a Travel Approval to FL League of Cities**  
**Mr. Presnell**

"Now, the final item under General Business 17A that we added was one you added Madam Chair for travel approval for Florida League of Cities 55<sup>th</sup> Annual Legislative Conference for the

TDC Chairman.”

**Chair Holt**

“OK, that one, Commissioners, we voted for that on the Tourist Development Council also there is a tour, what do you call it, agri-tourism deal and information that they are going to be doing out there. What’s the will of the board?”

**Commissioner Viegbesie**

“Madam Chair, is this particular item, this action item, is it time sensitive?”

**Chair Holt**

“Yes.”

**Commissioner Viegbesie**

“Move for approval.”

**Commissioner Morgan**

“Question.”

**Chair Holt**

“Yes. I’ll second that vote. But go ahead.”

**Commissioner Morgan**

“So, help me out on this because we just got this information and I need some clarity on this. So, this is a meeting to the Florida League of Cities, is that correct?”

**Chair Holt**

“Yes.”

**Commissioner Morgan**

“Their annual conference. Mr. Dowdell is a Quincy City Commissioner.”

**Chair Holt**

“Yes.”

**Commissioner Morgan**

“He should already be going, right?”

**Chair Holt**

“Well, he should be but Tourism is sending him and well one reason why we, one reason why we voted to do that is because of those items on there that we are trying to get some leverage on with the League of Cities that helps tourism.”

**Commissioner Morgan**

“So, why isn’t the City, why isn’t he going on behalf of the City of Quincy so he can do this?”

**Chair Holt**

“I have no idea, probably why they are not paying for the bus system. I don’t know.”



**Commissioner Morgan**

"That's a good question there too. So..."

**Chair Holt**

"We pay for the bus system."

Commissioner Morgan

"I just don't know that ah, this is appropriate for us to do that. "

**Chair Holt**

"If you look at the title of it, it makes sense what you 're saying, but when we looking at the Tourist Development that we're looking at, trying to get it and then doing it, then it make sense for him to go.

**Commissioner Morgan**

"Who else is going on this trip?"

**Chair Holt**

"He's the only one that is going on that. But now, the reason we are doing that is to get the...Mayor Dyer of Orlando, his son wrote this big packet on agri-tourism and when I talked to the people down at the City of Orlando, he is doing some presenting down there and they are doing some live and there is also an agri-tourism bill coming up in the legislature. So we are trying to get some in on that because we get, we have all these fields in tomatoes and all that stuff and for some reason, the Villages were just up here the other day and they came touring the County because they want to come back and do touring and all that. So we are trying to get as much bang for our buck as we can get. And I'm a research nut so...Yes sir?"

**Commissioner Viegbesie**

"My understanding is that because this is the Gadsden County Tourism Development Council, the City of Quincy is paying for some part..."

**Chair Holt**

"Yeah, something like that, I heard it too..."

**Commissioner Viegbesie**

"...of the registration or something when I read the materials, so actually the City of Quincy is covering some part of his expense, right Mr. Manager?"

**Mr. Presnell**

"Ah, no sir, they are not..."

**Chair Holt**

"He's paying the registration."

**Commissioner Viegbesie**

"He's paying the registration."

**Chair Holt**

"We're paying the travel."

**Commissioner Viegbesie**

"We're paying the travel and the City of Quincy is paying the registration."

**Chair Holt**

"Something like that, he, but we're not paying the registration."

**Commissioner Taylor**

"The City of Quincy is not paying anything."

**Commissioner Viegbesie**

"Anything?"

**Chair Holt**

"He's paying, he said he would pay the registration, but really, to be honest with you, we are looking to get; it's just like Mr. ah, Commissioner Viegbesie, when I did the thing on the mural up out here, I didn't do it on what I was being sent down there with FAC. I had to go back and I did it under Tourism in order to get to be able to go over to St. Petersburg, take those pictures, do that research and come back with an Economic Development plan. So that's what I had to do in order to get that and that's something that I had to do on my own, but, yes sir?"

**Commissioner Viegbesie**

"My question then is if that is the case based on what Commissioner Morgan just said, I think we are probably going to on this expense hit a brick wall of public papers from the County I think.

**Chair Holt**

"What's the brick wall?"

**Commissioner Viegbesie**

"I don't know, maybe this is, ah, I don't know, the Clerk of the Court was going to approve this expense or was going to pay even though we approve to do it so if we make sure that that is cleared today before we go through this, I have no problem with the Tourist Development Council being sponsored on this training. I have no problem."

**Chair Holt**

"The Tourist Development Council already voted for him to go. We have a motion and a second right now, we are going to call for the vote in a minute, but go ahead."

**Commissioner Hinson**

"Yes, Mr. Attorney, do we have any issues with this situation here before..."

**Mr. Weiss**

"It appears from the Clerk that, I mean the reason I think this has come before you is because the Clerk has said that they do not believe this to be a tourism related expenditure. That's the reason it's before you ah, is that the Clerk is concerned with that. Ah, so that's the issue here."

**Commissioner Hinson**

"No, what I'm saying is that do we have an issue..."

*Dr. V stepped out at this juncture.*

**Commissioner Hinson**

"...is there anything illegal thought, I'm not talking about how the Clerk feel, from that standpoint of it, but is there anything that we are doing now, we're approve this. I know it's time sensitive and can't wait until next meeting because the meeting would be, you know, everything would be over with, we're running out of time now. So, is there anything illegal going on here."

**Mr. Weiss**

"The question is, is it tourist related. I mean, is there, I think there were concerns with the TDC that was raised, a couple of the council members did raise concerns about the similar concerns that are being raised around the this Board about whether or not it was a tourism related expenditure and apparently the Clerk agreed that there are concerns in terms of what, I think..."

**Commissioner Hinson**

"I mean, what I'm saying, if we approve this, right, is there anything illegal that we are doing, so regardless, if we decide to approve this, would the Board be doing something illegal by approving, would everything be legal? I'm not saying because somebody say 'I got you' moment, here you go right here or there. I'm talking about whether or not it's illegal or not illegal. Because anybody can pick out anything and say like the trip that the Commissioner went to, we could have picked at that as well like 'I don't think that's county related stuff, you know, she's talking about painting the walls on the street. But that brought back value to the County. So I'm just saying, if we approve this, would it be illegal, would we be challenged, not by the Clerk..."

**Chair Holt**

"That a very good question."

**Commissioner Hinson**

"...but by would the County be doing something, because I would hate for the Clerk to call me back tomorrow and say 'You know what, ah, I saw something different' if we didn't approve it, so as long as legal, then I'm not sure, I'm not saying I'm approving it, I just want to know if I did decide to approve it, is it legal to do it."

**Mr. Weiss**

"I think it's a matter of whether it is a tourist related expenditure and I think on its face it's questionable, which is why the issues have been raised with the Tourist Development Council, which is why you all are asking the question and which is why the Clerk has raised the question."

**Chair Holt**

"May I say this? The Clerk and I talked and the Clerk said 'Present them the Economic Development Plan' like I did with the murals and present some other things that he's saying

that, and I called the League of Cities. I did not, like I said, I'm a research person, I love research. I called them. They said this, that there are plenty of things within their agenda that deal with economic development and that's what your tourism should be about, is how do you increase the number of hotel stays at your hotel. How do you do these things and they said yeah, they didn't title it that way, but all the cities are going with economic development, they are going for jobs, they are going for tourism. So that's what they are doing and then I said 'Well, how do we get in on some of that' because Commissioners, we are, there are 67 counties but there are a couple of what, hundred cities in the State. So what we are trying to do is get in on what they already plan to bring back stuff to the County. That's what I told the Clerk. The Clerk said 'Give me economic development plan for it' and I told him you can't get it if you stay home. I know what happens, people are not doing lobbying. Because you go lobby, if you are not in the room, you don't get anything. And that's why I told the Clerk the same thing. I said if people hear what had to go and they had to go stand in those halls and had to lobby to try to get something to come back to the County, they would want to be at the League of Cities because they would have more people there, they have more agencies than we have with the County Association. And so, if you are not in the room, as the young lady with the League of Cities said..."

*Commissioner Viegbesie returned at this juncture of the meeting*

**Chair Holt**

"...Commissioner, if they are in the room, they are able to lobby for things. I called Mayor Dyer's office in Orlando. They said 'Why wouldn't they want you tourist development chair to come?' I said because they are not thinking on that level. You have to think on that level. Because if they have a meeting on agri-tourism, now the Mayor's son is the one that wrote the program. If they are having that discussion on there, how is it we are going to get in on what we need to do to start agri-tourism here if we are not there? That's the only thing that really bugs me about this. People that don't lobby, and I was over there at the Capitol today, had to be there all day. Was there anything on my agenda that said, no, but I know Gaming was on there and if I don't go and go after that for Gretna, and for this County, then no-one's going to say, 'Well I was going to go, but I didn't feel like it, my hair got wet, my dog got sick', but someone had to go so I went. That's 800 jobs that we are talking about. Yes sir?"

**Commissioner Hinson**

"Commissioner, I think that wished they had of given us a detailed program, you know a layout thing, that way you could look and see exactly what's going on, but I think I see something here, I'm not sure, the Regional Advocacy Teams Strategic Planning Meeting. I think that that would justify that portion too as well and also they have other roundtables going on as well, so ah, I mean as long as we aren't doing anything illegal and was time sensitive, I'd hate to say no and all of a sudden next week they come up with something that said it was OK..."

**Chair Holt**

"Yeah."

**Commissioner Hinson**

"...ah, we talking about, what, about \$400-\$5—or \$200-\$300 I think that we are..."

**Chair Holt**

"OK, Commissioner..."

**Commissioner Hinson**

"It's on page 1."

**Chair Holt**

"Yeah, I was looking at page 2, but, ah, and I was looking also at a couple of other things, but the one thing that I really looked at and spoke about in the meeting was this on Growth Management and Economic Affairs. That's the first thing that I looked at. If you don't get in where the money is, where to do go? I mean, what's the purpose of sitting here and divide up what the State's trying to give us when we could go after more money. But Commissioner Morgan, I think you had your hand up."

**Commissioner Morgan**

"Yeah, ah, thank you Madam Chair, just real quick there's 2 things I'm hearing on this issue. One: I think the Attorney is trying to be as frank as he can with us in advising us not to move forward with it because of concerns that he stated and right here in the analysis gathered by staff, you know, it clearly says they talked with the Clerk's office, the Finance Department, they carefully reviewed it and per Florida Statutes, they identify the section that deemed it as an inappropriate expenditure. I just..."

David said section cited not correct section, but only tourism related expenditures were authorized.

**Chair Holt**

"What's the section that makes it inappropriate?"

**Commissioner Morgan**

"Ah, Section 125.01040(4)(c)."

**Chair Holt**

"And what does it say?"

**Commissioner Morgan**

"I don't know what it says."

**Commissioner Hinson**

"Can you tell me what it says"

**Commissioner Morgan**

"No, I, that's why I had the Clerk tell me that. I just know, I mean if you talk long enough you can justify whatever you want to, I just don't think this is a good decision, a wise decision to do that."

**Chair Holt**

"To be honest with you, and I understand what you are saying Commissioner and I was in that meeting and like I said, I didn't wait for Mr. Dowdell to call me, I called the League of Cities. I spoke with them. I called the City of Orlando, I called Orange County, I called Tourist Development and they said, 'Yeah, they can send an economic development plan.'"

**Commissioner Morgan**

"Can you call the City of Quincy and see why they won't pay for it?"

**Chair Holt**

"I don't want to know because they still have an answering machine where you can't speak to anyone."

**Commissioner Hinson**

"An answering machine?"

**Chair Holt**

"Yeah, its something. But, what I'm going to say is, and I'm really serious about this, is that if we stay home we get nothing. If we stay home we get nothing. We have a shot at getting something and I just look at the numbers and if the numbers make sense, I'm for it. Commissioners we need a motion on this one way or another."

**Commissioner Hinson**

"Hold hold, the attorney's looking over something."

**Mr. Weiss**

"Well it's not, that section cited is actually not the correct section."

**Commissioner Hinson**

"Wow, so I tell you what, since..."

**Mr. Weiss**

"So, basically, what you have to keep in mind is it has to be a tourism related expenditure is authorized and that's basically..."

**Commissioner Hinson**

"So why would someone put this in a document and our decision be made based on their recommendation though."

**Mr. Weiss,**

"It's not the right, it's just the wrong subsection, it's not, the statute section is correct, the subsection (4)(c) is not what, that's not what determines the..."

Commissioner Hinson had Mr. Weiss read aloud subsection (4)(c) because that was what he was going by and Mr. Weiss did so.

**Mr. Weiss**

"None of the rest of these relate to what we're talking about. There is another subsection which is subsection 9, which talks about making expenditures for this type of purpose to attend for transportation, lodging, meals, other reasonable necessary items, services, ah, authorized travel, all travel and entertainment related expenditures, again, they all, and detailed justification for all travel and entertainment...Again, once again, it's tourism related."

**Chair Holt**

"Let me jump in there, so, so, they, he quoted, the Clerk, they pulled the wrong section, or whoever did the item. OK, now, listen at the carefully. We paid on the Tourist Development Council, \$2,000 for the people that came from the Villages up here to tour the County. Now we paid for that out of Tourist Development Funds, that Board agreed to pay it, OK, to come up here and see about tourism in this County. So we can't send the Chairman of Tourist Development Board down to Orlando to see what we can get to get down there and see if we can, if we can't get any energy, environment and natural resources. That's what the tourist development, that's what the Villages came up here to see, what our natural resources are. They went to Havana, toured, they ate over there, they went up here and they toured historical homes, they left there and they toured up here at Chattahoochee, they ate up there, they went down to the lake. That's what they did, that's what we are doing. So what we should be doing is doing the same thing to send people down there to get information, but, listen, let's vote because I'm tired of thinking about this. That" (Commissioner Hinson tried to interject) "got the gavel, you better be quick. Call the question, somebody."

**Commissioner Hinson**

"Taxation, alright, can you define taxation."

**Chair Holt**

"Come on, he gonna tax somebody,"

**Mr. Weiss**

"Define taxation?"

**Commissioner Hinson**

"Yeah"

**Chair Holt**

"Come on, come on, Commissioner, Commissioner, let him go on that, come on."

**Commissioner Hinson**

"Don't worry about that one?"

**Chair Holt**

"Not ah, come on, let's go. (banging gavel) "There is a motion and a second, no-one called the question. Commissioner Taylor."

**Commissioner Taylor**

"Thank you very much for this opportunity to speak. I hate to see this Board find itself in the same situation as the seniors that are here this afternoon, because I've been very supportive and I've talked to you about trying to do what I can to help. But if you set here and improve an item that you've already gotten an opinion from your Financial Officer and have said no, this is inappropriate, we are going to have someone sitting out there again in three-four weeks after this with an issue of their bills not being paid because he has that right to look at these items closely. It's a check and balance system that we have with that Clerk's Office and this Board and he makes sure that the expenditures are appropriate and he has said that this one is not. He has said that. Now it is a time sensitive item, I understand that whole-heartedly. A

wonderful football game going on down there this time of year! Wonderful game going on! Wonderful."

**Chair Holt**

"So you mean y'all don't go to the League of Cities when y'all go down there?"

**Commissioner Taylor**

"Wonderful game going on down there this time of year, know that that's happening. So, but that is around the 18<sup>th</sup> and we do still have some time to get the Clerk over here and give us his justification. Might be the wrong section that he quoted there, but if you want to do due diligence and protect this Board and the decision that we are making, I say let's get him over here within the week. Let's just make a little quick, a special meeting or what have you, get him here and get us a decision that we can all stand the next day and say well, we did the right thing. The guy's going to get the information that we need or the guy is not going because we shouldn't do this per the law that you just asked the question about Commissioner Hinson."

Commissioner Hinson started to speak.

**Chair Holt**

"Commissioner, wait a minute, hold on."

**Commissioner Taylor**

"So, all I'm saying is, let's just take a couple of minutes, make sure it's the right thing and don't get hasty about this. It's a trip, it's a trip. It's nothing that's going to make or break this County. Is it an important one, I'm sure it is, but do we need to do this and not do our due diligence, get an explanation from the Clerk, get this thing set up within days, it's been done before, so that we can make the right decision. That's all I'm saying. I'm not willing to vote for this tonight because we've gotten sound advice from whom we have put over our dollars, from whom we get our response from. Don't want this thing to come up again like it has tonight. Let's get him, and while he's in here, let's get him to talk about what happened to their (seniors) money and how can we go about getting their money. So we just kill two birds. That's my opinion. Thank you."

**Chair Holt**

"OK, Commissioner Hinson, make your point now because we've got to vote."

**Commissioner Hinson**

"I'll make it real quick. Mr. Attorney, just like I said just then, OK, if we vote yay or nay, is it illegal? That's the thing, I mean, just say, not saying it's his own, because the Clerk is the only entity with the County Commissioners. I mean, are we doing the right thing? Don't worry about what he says, are we doing the right thing? So I don't..."

**Mr. Weiss**

"So, basically what you're asking is my opinion as to whether or not this is a tourist related expenditure."

**Commissioner Morgan**

"Right."



(Several talking at one time)

**Mr. Weiss**

"That's what it boils down to and I mean, I would agree that on its face it does not look like tourist related expenditure and the fact that we are discussing this at length suggests that there are other people would tend to agree with that. I'm not going to say, I mean, I'm not someone who can make a policy level decision like that. That's not my decision to make. Ah, so..."

**Commissioner Hinson**

"So growth management is not a tourist..."

**Mr. Weiss**

"I mean, I suppose there could be something in growth management that is related to tourism, I mean, you know..."

**Chair Holt**

"That's because you don't go to our workshops, right?"

**Mr. Weiss**

"No."

**Chair Holt**

"But see, that's what I'm saying, I do. I go."

**Commissioner Hinson**

"What about what's, what about advocate for the County, you don't think that's dealing with tourist, I'm just curious, so that's what I'm just saying"

**Commissioner Viegbesie**

"Call the question."

**Chair Holt**

"OK, call the question. There is a motion and a second for approval and I would like to say right quick, I'm all for this because I go to workshops all the time, but, all in favor of approval."

**Commissioner Viegbesie**

"Aye"

**Chair Holt**

"All opposed."

Commissioner Morgan and Commissioner Taylor opposed.

**Commissioner Hinson**

"I'm opposed with another question."

**Chair Holt**

"No, no, no, no. You are either for or against because it's the time to vote."

**Commissioner Hinson**

"Because my opposal is for a meeting next week with the Clerk, but..."

**Chair Holt**

"No, You can bring back up another motion."

**Commissioner Hinson**

"OK, I vote no so..."

**Chair Holt**

"OK, so motion fails so, as 3-2. OK, now, right quick, you gonna put in another..."

**Commissioner Hinson**

"Oh, yeah, I'll put in a motion to meet next week..."

**Chair Holt**

"With the Clerk on this issue?"

**Commissioner Hinson**

"With the Clerk on this issue (inaudible) the senior citizens too as well, get them both out of the way."

**Commissioner Taylor**

"Thank you. Is that what I just said to you?"

**Chair Holt**

"OK, do I have a second?"

**Commissioner Viegbesie**

"Second."

**Chair Holt**

"I have a motion and a second to meet with the Clerk next week and you'll have to schedule the meeting Mr. Manager as soon as possible."

**Mr. Presnell**

"Will this fall into the category of an emergency meeting? Is there any way we can do that Mr. Attorney, or we going to have to meet the regular advertising? It's an emergency?"

**Mr. Weiss**

"What's our..."

**Commissioner Taylor**

"It falls within the criteria of being an emergency meeting."

**Mr. Weiss**

"There again, that's a policy question. Do you consider this to be an emergency? I don't, I don't know that there is a definition of an emergency that I'm aware of."

**Chair Holt**

"Make it an emergency."

**Commissioner Taylor**

"May I, may I say this?"

**Chair Holt**

"Commissioner Taylor..."

**Commissioner Taylor**

"Thank you. Ah, since there's not a definition and since this Board does make policy, I make a motion that we call an emergency meeting within the next seven days to hear from the Clerk on both issues, 1) this travel and his opinion toward this travel and the expense that the senior citizens have incurred in Gretna for the \$10,000 allotted. That's my motion."

**Chair Holt**

"We have a motion..."

**Commissioner Viegbesie**

"Madam Chair..."

**Chair Holt**

"Yes."

**Commissioner Viegbesie**

"For posterity, we had a motion for the, that Commissioner Hinson made, is he going to withdraw his motion so that we can entertain a new motion?"

**Chair Holt**

"He has to if we gonna, he has to if you are going to go with the second motion."

**Commissioner Viegbesie**

"He would have to withdraw his motion and second and then..."

**Chair Holt**

"Was there a second?"

**Commissioner Taylor**

"There wasn't a second."

**Chair Holt**

"Commissioner Hinson, are you willing to withdraw your motion?"

**Commissioner Hinson**

"Ah, I don't have a, but we..."

**Chair Holt**

"It fails for lack of a second if you don't."

**Commissioner Hinson**

"Because we can send to Tallahassee Democrat and it still can be, right?"

**Mr. Weiss**

"We'll still have to provide notice, I mean, you have to provide notice..."

**Mr. Presnell**

"And I think I..."

(Chair bangs gavel)

**Chair Holt**

"Will you withdraw your motion?"

**Commissioner Hinson**

"OK, I withdraw, I'm sorry."

**Commissioner Viegbesie**

"I second Commissioner Taylor's motion."

**Chair Holt**

"Commissioner Taylor's motion for, to address this issue and the Senior Citizens of Gretna issue at an emergency meeting and we have a second by Dr. Viegbesie. Now, that is, Commissioners, you must look at also the Clerk has to agree to this meeting. OK, all in favor."

**Commissioner Viegbesie**

"Aye"

**Chair Holt**

"Opposed? OK, so we're looking at next week and the Manager's going to get with the Clerk. OK, alright? We finally got it ladies and gentlemen."

**Chair Holt**

"Ah, Ms. Franks, you understand we're trying to get up a meeting with the Clerk for next week?"

**Ms. Franks**

"I understand that, but the Clerk has already said that they not going to pay us."

**Chair Holt**

"OK, we're asking for that meeting anyway."

**Commissioner Hinson**

"Personally, Ms., Commissioner, it's my humble opinion though, I think that since they been

waiting this whole time here, I think we should just go ahead and move forward the meeting for them first, then if the Clerk got a problem, he can meet with them next week on top of that piece. I don't want her to wait forever on that."

**Chair Holt**

"OK, so, what we're saying, anything else you want to address with us tonight?"

**Ms. Franks**

"Yes, I want you as a Board..."

**Chair Holt**

"Come up to the microphone."

**Ms. Franks**

"Yes mam, I want you as the Board to go ahead and agree to pay that \$10,000 that you promised us. The Clerk has already said they are not going to do it. Not once, but how many times? So if they not going to do it, I'm looking for you all to go ahead and do what's been promised. They not going to do it. We can meet with them all day and night. I don't feel like in my heart that they going to do it. They already done turned us down and they've paid us \$3,000 plus couple of dollars, part of the money and they refusing to pay the rest. I feel like it's gonna come to this Board anyway. So I'm asking you to make the decision to go ahead and pay us."

**Chair Holt**

"Commissioner Franks, there are certain steps that we have to go through. I do not disagree with you one bit, but there's certain steps that we need to go through and I feel that we've got to have the attorney there in order to take care of this. I don't think that your speaking on this issue again is going to make any difference to be honest with you. It's going to be between this Board and the Clerk, that we voted on the item, we passed it, the Clerk may have some legal where he stands at, that needs to be worked out between him and this body."

**Commissioner Taylor**

"May I say this? If we can, because we aren't to discuss this any further, would you please make sure that they know when the date is so they can be here in numbers."

**Mr. Presnell**

"Absolutely."

**Commissioner Taylor**

"And what's different this time is that like the Chairperson has just said, this is now between the Clerk and this Board and that's where it should be after you doing your due diligence. So leave out of here this afternoon with a smile because now you've got another chance to get in this (inaudible). I don't know what's going to happen, but we are going to take it to the next level that we can. Fair enough? Have a nice day."

**Ms. Franks**

"Because I had this opportunity to be here, I'm asking that you continue funding that program. Without your continuing funding we don't have a program. Thank you."

**Chair Holt**

"Commissioner, you don't worry about that part, let's just get past this part. We have no problem with that. Thank you very much and thank you ladies and gentlemen for coming out because it means a lot that you came out and we, this Board passed the order for that to be done. So what we are going to do now is meet with the Clerk and then we will get some justification, if we have to go down each item on there. Y'all have a good evening."

**Commissioner Hinson**

"Make sure y'all bring 60 next time now. Get 60 people next time now."

**Chair Holt**

"Oh yeah, you won't get a chair in here." (Looking at Mr. Weiss) "You better be on your game because it's going to be a mess (inaudible)."

**COUNTY ADMINISTRATOR**

**18. Update on Various Board Requests**

Mr. Presnell reminded the Commissioners of another workshop scheduled for Thursday, 6:00 p.m. in Chambers with FDOT regarding the bike trail and will send an electronic reminder to everybody.

He said he was trying to coordinate dates with the Board and GHI for a joint workshop and was shooting for December 3<sup>rd</sup> or 10<sup>th</sup>.

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

He asked for approval for a Proclamation for TCC for their 50<sup>th</sup> anniversary

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

He then asked for approval for a Proclamation for Retired Master Sargent Isaiah McMillian to be presented at a later date.

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

He reminded everyone that the Veteran's Services was having a program on the Courthouse square at 11:00 a.m. on Veteran's Day. Commissioner Morgan asked if there would be an opportunity to recognize Jerome at the Veteran's gathering this year. Commissioner Viegbesie said he may be coming to the Veteran's event a little late because he intended to attend the event in Havana before coming to this one.

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

Chair Holt said in recognizing Jerome, if not at the first of the meeting then some of the Commissioners would have a chance to catch it.

**COUNTY ATTORNEY**

**19. Update on Various Legal Issues**

Mr. Weiss said he had nothing to report was available for questions if anyone had any.

**DISCUSSION ITEMS BY COMMISSIONERS**

**20. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**Commissioner Anthony "Dr. V" Viegbesie, Ph.D., District 2**

Commissioner Viegbesie said he had two things-wanted to commend and applaud what the Road maintenance team has been doing and said he had received lots of complements for specifically in District 2 with the road mowing and ditch clearing. He asked that Mr. Presnell express sincere gratitude and appreciation in hopes they keep doing it across the entire county. He added that he just found out that one of the staff members left and this month was one year that he had been sworn in and had nothing but tremendous support and assistance from the entire staff and Stacey Hannigon had worked in an eclectic manner in every aspect that he had seen her do and asked for some form of recognition or accommodation for what she had done for the County.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY CHAIR HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE FOR RECOGNITION FOR STACEY HANNIGON.**

Commissioner Taylor concurred that Ms. Hannigon was a hardworking young lady, but her only concern was they would be starting something that would be continued and if they missed someone, didn't recognize them, there might be fallbacks.

Commissioner Viegbesie said his comment to that would be those that wanted recognition needed to work their butt off.

Chair Holt said normally the Manager made recommendations and Board approved it.

**Commissioner Gene Morgan, District 3**

Commissioner Morgan said he would like to offer the opportunity to televise commission meetings and asked that it be placed on next agenda.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO HAVE THE ITEM PLACED ON THE AGENDA.**

He said also regarding some of the issues that the Board was starting to experience as a result of funding different organizations in the county, that while he supported what they have done with the funding but felt as they go forward, it was necessary for them to adopt a policy that was devoted to clearly communicating the process of reimbursements of funds.

Mr. Presnell said Commissioner Morgan was right and they had recently developed an Interlocal Agreement to be used and would be coming to them in the near future for approval.

**Commissioner Sherrie D. Taylor, District 5**

Commissioner Taylor said she was piggybacking off the contracts and was looking at the one between the Boys and Girls Club and what the reporting requirements were for them was very vague and wanted to see it be more specific with records and services so they would know what they were funding.

She said they had talked about TDC tonight and their expenditures and asked that they get some type of list of items that have been approved and added they needed to be mindful because TDC has a lot of money.

Mr. Presnell said he would get her a list for the past year of expenditures.

Chair Holt said she thought the report should be on-line and added they should have a report from all boards.

Commissioner Taylor also asked for minutes of TDC meetings from April to today's date.

**Commissioner Eric F. Hinson, Vice Chair, District 1**

Commissioner Hinson said he was looking at the news today and when the issue came up in Tallahassee about the box, he thought it was crazy when he first heard about it and after doing research and hearing the comment earlier in the meeting, saw that it gave the employer the chance to meet the person and after meeting the person, they are going to vet the person anyway, then someone else said if the person committed a small crime when they were 18-19 years old, was a great citizen years later, went back to school, got a degree, was now 30+/- years old and wanted a job, once they put on the application that they had committed a crime earlier in life, normally the application would be thrown out, even though that person could potentially be the most qualified for the job and a lot of folks were being discriminated against by the box and felt they needed to jump in front and ban box as well on their application.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSISONER VIEGBESIE,  
THE BOARD VOTED 5-0 BY VOICE VOTE TO AGENDA TO BAN THE BOX**

Commissioner Hinson asked if they needed to cancel the next meeting because the Board would be out of town for the legislative meeting and they would not have a quorum. Chair Holt said everyone else would need to be present to have a quorum, but they needed to decide who would chair the meeting.

**Commissioner Brenda A. Holt, Chair, District 4**

**RECEIPT AND FILE**

- 21.**
- a. Clerk's Statement of Revenue**
  - b. Florida Department of Health-Gadsden Quarterly Progress Report**
  - c. Gadsden County School 5 year District Facilities Work Plan**
  - d. Talquin Electric Notice**
  - e. Florida Department of Health (EMS County Grant Award Letter)**



Gadsden County Board of County Commissioners  
November 3, 2015-Regular Meeting

**UPCOMING MEETINGS**

- 22. November 17, 2015-Workshop-Discussion of Proposed Multi-Use Path Along SR 12 (Arts Trail) from Quincy to Havana-6 p.m.
- 23. November 17, 2015-Regular Meeting-6:00 p.m.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 8:28 P.M.**

**GADSDEN COUNTY FLORIDA**



**ATTEST:**

**BRENDA A. HOLT, Chair  
BOARD OF COUNTY COMMISSIONERS**

**NICHOLAS THOMAS, Clerk**

**AT A SPECIAL MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON NOVEMBER 12, 2015 ST 4:00  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
Sherrie Taylor, District 5  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

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

Chair Holt called the meeting to order at 4:03 p.m., asked for moment of silence and then led in the Pledge of Allegiance to the U. S. Flag. A silent roll call was taken by Deputy Clerk, Marcella Blocker.

**AMENDMENTS AND APPROVAL OF AGENDA**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS WRITTEN.**

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

Chair Holt asked if anyone in the audience wished to speak on any item not on the agenda and there was no-one.

**GENERAL BUSINESS**

**1. Board Direction on the Payment to the City of Gretna for Senior Services provided in FY 2014/2015**

Mr. Presnell said first on the Agenda was Board direction on the payment to the City of Gretna for Senior Services provided in the 2014/2015 year budget.

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

**Mr. Presnell**

"As you recall, an invoice was submitted by the City with receipts, we processed that payment over to Clerk's Office, they had issues with the expenditures, we went back with them and got with the City, provided additional information, met with Clerk's Finance staff and \$3,200 was approved and as part of your agenda tonight if the Board so directs, they have agreed with a Public Purpose Statement from the Board, then they would pay an additional \$2,000 which would be a total of \$5,300 to the City.

**Chair Holt**

"OK, Commissioners, you have the packet, it's the large packet with the clip on it. They had some receipts in there and looking at those totals..."

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

**Chair Holt**

"Let's give you a minute to flip through that, look through that; a few minutes. While we're doing that, Mr. Attorney, when they finish, I would like you to explain what law says and remind us of that."

**Mr. Weiss**

"Yes mam."

Chair Holt gave Commissioners a minute to review the packet of receipts.

**Chair Holt**

"And Ladies and Gentlemen, it's rather a large document so that's what we are flipping through."

**Commissioner Taylor**

"May I ask a question please?"

**Chair Holt**

"Sure."

**Commissioner Taylor**

"I imagine I probably need to wait on this question to hear what the Attorney has to say, but, excuse me, the whole reason for this meeting was to have an opportunity to speak with the Clerk so we could get some clarity on the position that he's taken on both of these items and I'm understanding that he's either not coming or coming late, or what's..."

**Mr. Presnell**

"I spoke with the, and met with him actually, I went over and met with the Clerk last week regarding this and said that he would be available to answer any questions you have at your regular meeting on the 17<sup>th</sup>."

**Commissioner Hinson**

"So he couldn't show up today? I'm sorry for..."

**Commissioner Taylor**

"That's, that's, that's where I'm at, that was my primary reason for coming because we obviously can't do, well, I did want to hear the position of the Clerk and his explanation and I don't, if he's where he is, I don't know how we can proceed on some of these, ah, so I'm a little perplexed as to how we can proceed forward if he's the one that cuts the checks and adamant about his position. Was he adamant about his position?"

**Mr. Presnell**

"He's very adamant about his position and we were able to determine that we could pay the additional \$2,000 with a Public Purpose Statement from this Board, that he would have that check cut immediately for a total of \$5,300 and he is very firm that anything above and beyond that, they won't be paid."

**Commissioner Taylor**

"Thank you."

**Chair Holt**

"Commissioner, I would like to say this. The purpose of this meeting was not just to meet with the Clerk. It was to look at these receipts because the City of Gretna is here, ah, the City of Chattahoochee decided not to fight this issue, but what we need to do is be able to explain to citizens what the purpose of this is because when they brought the receipts, they were under the impression that they were going to be paid. Whether he's here to explain it or not, they still want to look at what they may have done or need to do in order to get this taken care of. The other thing is the time factor simply because there is not on just from this issue, but you also have the travel issue up there and that's next week. Now, I did call the Clerk before we discussed it at the last meeting and he said to turn in an agenda item with the agenda of the travel that type of thing and then he could look at paying it. So, that was another thing, but this Board voted not for it not to go, and to put it on for this meeting. So there were two items, that's the reason there's two items on here. The only senior citizens item also, when you look at this one sheet here, there's another sheet Commissioners, when you look at this one, and we're not, we want everyone to be paid that we said that should be paid, not just one or two. But if you look on the front, the \$10,000 and look on the back of what was paid and that was paid the total \$10,000 and nothing wrong with it. I've seen absolutely nothing wrong with it being paid, because that's what this Board asked them to do. So, that's what we want them to do on the back of here, that's what we want them to do is to do what the Board asked them. If it's something illegal, we don't want the Clerk to pay anything that's illegal, we want the Clerk to do what he's legally bound to do. So that's one reason why the City of Gretna is here. They want to know what is wrong with the receipts that they turned in. Now, we're the ones that said we were going to give them the money. If it was something that they did incorrectly that they need to re-do, then that's what we need to let them know. Because the receipts come from here to the Clerk; not from the Clerk to us. I'm sorry, Commissioner Morgan, your hand was up first."

**Commissioner Morgan**

"Thank you Madam Chair, I just wanted to clarify with the City of Chattahoochee, they did not choose not to as you said "fight" this, they chose to not submit anything because their expenses are going to be in the upcoming year this year, so that was it. But I do think that what we need to make sure of is, number 1, what is it that is giving the Clerk his positioning for those certain receipts that he is saying that can't be paid and I think the Attorney can bring light to that because I agree 100%, first let me back up. I know there is not a Commissioner up here that doesn't want the Senior Center to be reimbursed if legally that can be done, but as you just stated, this Board can't do it if it's not under Florida Statutes."

**Chair Holt**

"That's why we're here."

**Commissioner Morgan**

"Exactly. So I think we clarified that part about it and it will end up however it ends up. But, moving forward, as I have sent a few emails, I guess maybe three weeks or so ago to the Administrator and the Clerk's office, is to make sure that the communication, you know, is clearly expressed moving forward not only to the Senior Center, but all of the organizations that we are budgeting money toward that are going to have to be reimbursed and I know that the Attorney mentioned at our last regular meeting that there is going to be an agenda item coming up to address an ordinance and

a policy for that, so, which will clear that up. But I think those are the two main things we have to identify and I think comes from the attorney, Madam Chair, as far as letting us know what the statute says that we are allowed to reimburse and if we can, like I said, I don't know if there is anybody up here that wouldn't want to do that, but if we can't, we can't.

**Chair Holt**

"Yeah, but if we can then what legal actions do we take if he refuses? OK, Mr. Attorney?"

**Mr. Weiss**

"Thank you Madam Chair. Basically the way that the law works is this Commission decides how to expend funds and in this case, the way that this body decided to do that was to put it in the budget a certain amount of funding for each of the senior centers. Ah, and that, what goes along with that is basically a declaration, you are making a declaration that serves a public county purpose to the expenditure of funds and that is basically what we are looking at. That's what you're constrained by obviously everyone on this Board, nobody on this Board wants to spend any funds that are not, don't constitute a proper expenditure of County funds and we then have a policy, a grant funding policy that basically requires three things. It requires in order to be reimbursed, each program has to submit a detailed budget of the way that the county funds will be spent; a program with specific objectives that will be met or goods to be purchased with the funds; and then has to follow up with quarterly financial reports to show that the funds were spent in accordance with their program and that they do in fact serve a county public purpose. In this case, what City did provide, after we had, the Clerk had some issues, the City did come back and provide this letter, which I think is the program and their budget, and then also submitted the receipts and that was basically in lieu of the quarterly financial reports, they submitted receipts. My understanding, and again, I'm not an auditor, but my understanding is the Clerk went through and audited each of the receipts and determined which ones did constitute a proper county public purpose and which ones did not. Ah..."

**Commissioner Hinson**

"Hold on, you giving your opinion what you think he doing or this what you know the Clerk did?"

**Mr. Weiss**

"That is what the Clerk did. The Clerk went through and did a detailed audit looked through each receipt and the County Administrator can confirm this because I did not have a direct conversation with the Clerk about that particular, but..."

**Chair Holt**

"You don't know if he did or not."

**Mr. Presnell**

"It was in writing if you remember."

(Everyone talking at one time.)

**Commissioner Viegbesie**

"I think I read..."

**Mr. Weiss**

"Oh yes, excuse me, I, actually there was, I do remember there was an email saying that they had gone through, the Clerk had gone through, looked at each one of these receipts, did a detailed audit and determined the amounts that did constitute a public purpose and the amounts that did not. That's where we got to the number that we are today, they cut the check for the ones that were clearly a county public purpose and then the additional amounts are what they, the Clerk, believes can be considered a county public purpose with a Public Policy, with a Declaration from this Board."

**Chair Holt**

"OK, while we are doing that you can go ahead and pull that email up so we can see it."

**Commissioner Hinson**

"So all the Board members can see it."

**Mr. Weiss**

"I think it's a part of, was it part of this agenda item?"

**Mr. Presnell**

"No, it was an email between us that was forwarded to the Board."

**Commissioner Viegbesie**

"I remember, Madam Chair, I remember reading the email that explicitly states that particular, I don't have my I-pad with me or I would easily pull that up myself and I read that and the emails go back and forth between the Administrator and the Clerk. Honestly, since I'm, since I have this time, every senior citizen expenditure should be taken care of, but also I also understand that the Clerk is the financial auditor for the County and it is the Clerk's office that would determine that has the last say actually as to whether or not money should be disbursed because come the end of the year when they begin to audit our account, it is going to come through his office. So, I don't know how we are going to resolve this if the Clerk is not here himself to actually explain specifically why he and how he came up with the interpretation of those expenses that he has perceived as not meeting the general purpose need of the, for the expenditure so we, I believe we can go on and on and on and on here until he comes and makes that determination. He's the one that cuts the check, which I hope, I wish he has done it, but if he has this legal standing for saying he cannot then there is really nothing from my understanding that this Board can do in regards to the disbursement of the funds. So, the legal ramification to it, I don't think there is really any. I'm not an attorney but I do know a little bit about laws that I would think that would be where we are right now in looking at it. So, it's not a matter of a motion right now, it should be more of the legality of what is going on and I think he is the only one that is privileged right now to give us exactly which expense he deems not meeting the purpose that is meant for for us to come to a resolution of this. If it's a motion, I would have no problem in making a motion for the checks to be cut, but that is not going to legally resolve it if he feels like the condition is not that which he can do it, so I don't know how we are going to handle this. Are we going to table this until he, until we put it in the agenda and the Clerk is here and then we iron it out? Or are we going to want to impose upon him the will of the Board even though it is not from his auditor or auditors' point of view. So I don't know how we are going to resolve this Madam Chair and fellow Board members."

**Chair Holt**

"OK, Commissioners and I'm going to let you, just, just a minute, I'm going to make a comment then I will come to you. Ah, Commissioners, I don't necessarily think that that's the whole purpose of

why we are here. Why we're here is because we need that email so Gretna will know what it is he doesn't want to pay. Because that's what there are here for. They want to know what is on there that is not approved by the Clerk. That's why I asked to start looking for the email. Look for your email."

**Mr. Presnell**

"I just sent it to you."

**Chair Holt**

"OK, and that's what they are waiting on. So that way they can see what it is that they may need to clear up or not clear up? So, ah, Commissioner Hinson?"

**Commissioner Hinson**

"Yes mam, thank you Madam Chair. First question is that did we, ah, Mr. County Manager, did we, ask the Clerk was to attend to the meeting today?"

**Mr. Presnell**

"Yes Sir."

**Commissioner Hinson**

"He was aware that we were having the meeting today?"

**Mr. Presnell**

"Yes Sir and I asked if we could change the time or day..."

**Commissioner Hinson**

"He refused to do so?"

**Mr. Presnell**

"He said that he would be available to answer any questions that this Board may have on the regular meeting on the 17<sup>th</sup>."

**Commissioner Hinson**

"Even though we already scheduled it, OK, so he refused to come. Alright, ah, also too, ah, ah, with the policy, the policy that, did the Board make this policy or the policy that, because I know a couple of years ago we didn't have that in place but now I see now the Board approved..."

**Mr. Presnell**

"Yes Sir this was approved by the Board the policy we've been using for the last two years."

**Commissioner Hinson**

"Ah, to get the money quarterly?"

**Mr. Presnell**

"Some get it quarterly, some lump sum, depending on the dollar amount."

**Commissioner Hinson**

"Cause I was thinking that it should be for that small amount, cause what the senior citizens do, I

think should be a lump sum instead of a quarterly project. Especially in Havana, there is no way in the world they could survive with a quarterly amount because they had to do the restrooms. The restrooms were almost \$4,000. Then they had to do the kitchen the following year. I think that was close to about the same amount to as well and now they got some other projects because they built the building I think about forty years ago and the water service now I think they about to do the pump, they got the pump on the other side where they can use the..."

**Commissioner Viegbesie**

"They, ah, Commissioner Hinson, electrical to the wiring."

**Commissioner Hinson**

"That's right, that's cool as well. So, I think, thank you Dr. V, I think that for this amount here, we should go back to the original, we putting, I think we are hurting ourself by putting this ordinance on ourself, I think that we should say go back to three years ago how we had it then, just say as long as you want we grant you the money just show us how you are going to spend the money and that's it. Cause the attorney approve at the time when we had this long, elongated meeting when I was trying to position ourself with getting the Senior Citizens. He said that at that time as long as for county use, or public use, ah, we can give them the money without any, anything else. Nobody can't stop us. But we started doing, I think as a Board, we started putting demands, I think we need to get rid of that, those demands and go back to how we had it three years ago. That way then there won't be no problem with Gretna, won't be no problem with Chattahoochee, but now you scaring them seniors half to death right now, ah, the people in Chattahoochee having an issue, with Gretna getting frustrated, Havana nervous because someone put it out there that they, you know, Havana just lucky because of you fall hard to make sure that it worked. So we don't want to, we don't want to keep the seniors nervous about this situation here. I think the County just need to do is get rid of, get rid of those rules and laws put in place, go back to what we had three years ago. As long as they tell us exactly that, how, give us a reason what they gonna do it for and that's it. They just move forward. We talking about just \$10,000."

**Chair Holt**

"OK, let me, let me say this and I'm looking at the list of items that they are saying that they could not pay for..."

**Commissioner Hinson**

"But where I'm coming from Commissioner..."

**Chair Holt**

"...on the food. I understand what you are saying."

**Commissioner Hinson**

"What I'm saying Commissioner Holt, if we go back to the policy right? You just scratch all that out the way right there. We, I know, because no matter, I mean all these I'm paying .25¢ for a piece of gum because they need some peppermint, whatever. We don't need those receipts right there. We don't have to have that to pass this rule. What we need to know is what, only thing you doing is using it for a public use, just cut them a check and call it a day. That's what I think."

**Chair Holt**

"I absolutely agree with you. I don't disagree with you Commissioner at all..."



**Commissioner Hinson**

"So long as We go back where we set our policy, we go back and set our policy, then they wouldn't have no problems no more."

**Chair Holt**

"Well, the reason I agree with you is because it's nickel and diming the system and I coming to you (looking at Commissioner Morgan) and the reason I'm saying that is because I'm looking at two different Senior Citizens center where you have one that said we are repairing this, we fixing this and you give them \$10,000. That's this one Attorney (holding up a piece of paper). And then you have another one where you want to nickel and dime them to death with receipts."

**Commissioner Hinson**

"Because they decided to because they thought they was doing what was right."

**Chair Holt**

"Oh no, they didn't decide to now."

**Commissioner Hinson**

"I'm talking the Senior Citizens in Gretna thought they was doing what was right and they decided..."

**Chair Holt**

"Uhn-uh, but he asked for receipts and that's why they turned, they did that. When he asked for them, they turned them in."

**Commissioner Hinson**

"But did the Board request that we ask for receipts?"

**Chair Holt**

"When the Clerk asked for them, they turned them in."

**Commissioner Hinson**

"Did the Board ask the Clerk to do that?"

**Chair Holt**

"Uhn-uh."

**Commissioner Hinson**

"So that's not, that's not, so the Clerk went against his own will and decided to do that."

**Chair Holt**

"Well, that's why, that's why we are have both looking at it. But Commissioner Morgan is next and then Commissioner Viegbesie."

**Commissioner Morgan**

"Thank you Madam Chair. So, I know everyone would agree that, let me back up. Commissioner Hinson, you had mentioned several situations with Senior Center about how there had been

expenses paid and that kind of thing that were different from what we are looking at now. I am unaware of any of those in Chattahoochee, I do want to clarify again, Chattahoochee did not submit anything that was an issue. They are not confused or concerned about anything so that's off the table. You had mentioned Havana. I'm not aware of Havana having any issues..."

**Commissioner Hinson**

"There are no issues."

**Chair Holt**

"That's because they got paid."

**Commissioner Morgan**

"Because, but their expenditures and what they submitted to get paid fell within what the Clerk deemed that was an expense that was ..."

**Chair Holt**

"Did you read this? (Holding up a piece of paper)

**Commissioner Morgan**

"...was ah, under State Statute. Is there any evidence otherwise that there's not?"

**Chair Holt**

"Read the back, read the back of that sheet."

**Commissioner Morgan**

"You can't take, we can't say..."

There were several commissioners speaking at one time.

**Commissioner Morgan**

"I'm sorry Madam Chair."

**Chair Holt**

"Oh, I'm sorry. He was just asking where it was."

**Commissioner Morgan**

"So, what I'm trying to say is you can't give someone \$10,000 and I understand about nickel and diming, a quarter here and .50¢ there, a dollar there. But they just simply, there are some things you can't spend the money on. They are not going to meet the, and it's not a..."

**Chair Holt**

"I know, I agree with you."

**Commissioner Morgan**

"...right, but it's not a policy that we had in place three years ago we don't have in place now. We haven't done anything to change that to make it more difficult. What we started doing is funding these organizations and there has been unclear communication about the fact, here's what we need to do as we move forward. It's just, it's pretty much that simple. We are very fortunate that

the Clerk is communicating to us his concern if he says there is some that we cannot pay here. He has always been steadfast as far as following statute and having clear communication about what is paid for and what's not. There hasn't been any change in his policy, it's been very clear. The fact is, we just got some expenditure that he doesn't agree with in this instance as being those that, that we are allowed, or he can allow to approve. And again, I go back to say this, I don't think that anybody up here on this Board nor anybody in the Clerk's office wants to not pay an invoice, wants to not pay something that he thinks that is appropriate to be paid. But his position, his duty in that position as the County Auditor, is to say if this can get us in trouble or if this isn't correct, we can't do it."

**Chair Holt**

"But that's why we are here so he can tell them what they need to do."

**Commissioner Morgan**

"But he's, I think he's been pretty cut and dry on that in his response, I mean..."

**Chair Holt**

"But what I'm saying is this. If they came and say, I have a question as to certain items; they say OK, what is it that we did wrong and what do we need to do? And that's exactly what I said to the Clerk when I talked to him."

**Commissioner Morgan**

"What did he say?"

**Chair Holt**

"What is it they need to do to rectify any of this?"

**Mr. Presnell**

"And it's on the Board too, Madam Chair."

**Chair Holt**

"And see, what's, that's what when you looking at that, look at what it says."

**Commissioner Morgan**

"I see it."

**Chair Holt**

"OK, the worksheet, is it up there?"

**Commissioner Morgan**

"(Reading from the television screen) I'm unable to process this. Note there are items that have no description just dollar amounts and other various issues so noted, that I am unable to process at all."

**Chair Holt**

"Right, like I said, go to the worksheet. It says there's a worksheet. OK, so their looking at the worksheet and that's what they are here to talk about. That's all they want to talk about and they didn't know that the Clerk wasn't gonna come."

**Commissioner Morgan**

"Well, I'm not...again...I'm not..."

**Chair Holt**

"But, but, understand what I'm saying."

**Commissioner Morgan**

"I'm not getting in the middle of that, I'm not saying, I'm not taking sides on that. But I am also saying in the Clerk's defense, it could have been that today he could not have been here. He could be in a regular meeting..."

**Chair Holt**

"It, well, but that's what I'm saying, do you see a note that says that? It's not a problem about that. They still wanted the explanation because we scheduled today at 4:00."

**Commissioner Morgan**

"And I understand that, yeah, I understand, but the Clerk may not have been able to attend this meeting..."

**Chair Holt**

"He doesn't, you don't need to defend him, he's fine."

**Commissioner Morgan**

"I'm not defending him, I'm just, I'm just simply saying that he's not here, perhaps because it wasn't, he wasn't able to be here and he offered and said he would be here at the next scheduled meeting, the next regular meeting."

**Chair Holt**

"That's right."

**Commissioner Morgan**

"Why don't we talk about it at the next regular meeting?"

**Chair Holt**

"Because they are here today, we scheduled it today."

**Commissioner Morgan**

"I understand that, but we are not going to be able to accomplish anything."

**Chair Holt**

"OK, that, let's, let's go a give up on that but we can schedule as an agenda item."

**Commissioner Hinson**

"So we spent \$1,200.00 to the media for nothing, then huh? For ads in the paper. How much it cost for ads in the paper?"

**Mr. Presnell**

"About \$700."

**Commissioner Morgan**

"No, we had another item on the agenda. It didn't cost us any more for this."

**Chair Holt**

"OK, let me, let me finish up. I'm not finished with this one yet."

**Commissioner Morgan**

"No, I understand. We can talk about it all day."

**Chair Holt**

"OK, on, now the reason I'm bringing this up and we are going to let Mrs. Franks, she wants to speak in a few minutes, but we're gonna let, go through this and I want you to look at, and I want to make sure that we are clear and, because they know the same information we know. So I'm glad that everyone knows the same thing. Now, if you look at, like I said, look at the back of that sheet, ah, when the items that were expressed to be paid to Havana Senior Citizens Center, says \$5,562 and it says these are the things we're gonna do: tear out the kitchen floor, tear down the kitchen, blah, blah, blah. And they said what they were going to do, OK? Now there are no receipts there, just says what you're gonna do. Ah, let me finish. So, cause see, that what they see. So all we have to do is try to be fair with both groups. I want them the (inaudible) both, I don't care if they get \$20,000, in fact, I would rather that they got \$20,000.

**Commissioner Morgan**

"So this letter and there were no receipts to accompany it? Tell me what they did on this."

**Mr. Presnell**

"That was considered the program of work."

**Chair Holt**

"That was it."

**Commissioner Morgan**

"That was, and so these expenditures..."

**Mr. Presnell**

"...which met our ordinance..."

**Commissioner Morgan**

"So, so..."

**Mr. Presnell**

"...our policy."

**Commissioner Morgan**

"So, these expenditures in the Clerk's mind were adequate that we could reimburse?"

**Chair Holt**

"Where, where are they?"

**Mr. Presnell**

"At that time."

**Chair Holt**

"See, you don't have it, you just have a lump sum."

**Commissioner Morgan**

"I don't know, but again, like you said before, it's a question for the Clerk."

**Chair Holt**

"That, that's what they're here for. So, so, let me, let me say this, let me finish. Then with the remaining \$4,438, we hope to expand redoing the floor, and I, they should get really, if they're doing that kind of work, I think \$20,000 wouldn't be enough."

**Commissioner Hinson**

"The Havana, well..."

**Chair Holt**

"But, But, understand what I'm saying, when other people see this and they say well OK, you gave them a check for \$10,000 and they did not present not one receipt. That's how they see it. You don't, it's like having your child and step-child. That's how they are looking at it. So, that's what the meeting is for to get clarity and it's fine if you say agenda it, then the Clerk can explain it. So fine with me, I don't have a problem with it. But I'm just letting you know what, what they are looking at. Commissioner Viegbesie? It's fine to agenda this item."

**Commissioner Viegbesie**

"Thank you Madam Chair. Again, I think the most, from my point of view the policies or whatever this is being based upon was way before I became a Commissioner and if there is a policy and then the policy has to be followed. And If the policy, from what I have just heard, requires a quarterly report of what the money is to be spent on, even if we made it a lump sum payment, and I would think that part of the policy would be, there should be a quarterly report on what was being spent quarterly, even though you have the money, lump sum up front and I think it's the process, the procedure here is what is bogging all of this down. The expenditures were made, I don't know if the reporting of the expenditure and the making of the expenditure, which are for the Center, I don't know if the Clerk is saying that the reporting of the expenditure is not in accordance with the County Policy. I don't know. See, that is why I believe that he really needs to be, since he's a constitutional officer himself and he feels like this is not something he doesn't have the time to make it here, we cannot make the Clerk come here, because he's also a constitutional officer, from my understanding."

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

**Commissioner Viegbesie**

"So, if his appearance is going to be that, which he says if going to be next meeting, I would suggest strongly that we agenda that item and make it the very first item so that if there are any seniors that is going to take their time to come here at all, we deal with it expeditiously in the very

beginning and then the seniors can get back in the vehicle and go home and go to whatever they need to do so we get this thing resolved. I want them to have their money and I don't want the Clerk to stand where he is saying I don't accept what they have, but I really want to know the reason why and he is really the only one that can explain, he is the only one who can give appropriate reasons for why he is picking and choosing the expenses that he does not want to write the check for. So, because he is our financial auditor for the County, that's what the statute says, right? OK, so I am going by that with what I am saying so there is nothing right now we can do from my understanding. There is nothing right now we can do; we can talk about this until we turn blue. He's the one that has the last say, as determines what item he wants to write a check for and why not. But when he comes and then he clarifies that to Gretna. Either Gretna will accept it or we made a mistake OR the Clerk (inaudible) we are going to find a way to get around this and cut the check. Because when we start being personalities in and when personalities come in, it becomes, OK, I'm going to show you. Let's not go to that point of where I'm going to show you. This can be resolved, OK? So, let's do it the way we can resolve it, even if it means that we come back next meeting when the entire Board is here, which is the December meeting."

**Commissioner Hinson**

"Now, I have..."

**Commissioner Viegbesie**

"Now, Gretna has waited this long..."

**Chair Holt**

'And they shouldn't have."

**Commissioner Viegbesie**

"They shouldn't have but they can wait a little longer just to get results. That's my, that's how I see it."

**Commissioner Hinson**

"I have one question here, ah, for instance, right, we still got issues because you saying that who defines who gets lump sum and quarterly sum? Because I know with Havana, even with Havana, they tried to get, they gonna get ah, a quarterly amount, and that's not how it used to happen, ah, so they can have a lump sum like they, you know, the last two years they get a lump sum, they should continue to get a lump sum. They cannot afford to get quarterly, or that's what the Board decided to do. But now they trying to say that OK, we approve you, give you a nice letter saying Thank you for having, but yet, you gonna, you know, every quarter we gonna pay you \$2,500. That's not fair. The Board did not put that in place. So, why would, why as a County, we need to make that decision tonight so tomorrow they can pick up their check. So, ah, that's another thing. That's another issue..."

**Chair Holt**

"But..."

**Commissioner Hinson**

"Bit, I'm saying the Board can decide on that piece, ah, cause no-one has said anything about that, we got to get quarterly, am I right? Right, so, ah, when they talking about here to get a quarterly, ah, that's the reason why he refused to just come up here right now and sign off because he think

that if, you know, OK, why should he come up here for a quarterly amount. Because right now they can't afford it and they need the whole lump sum in order to get what they got to get. Like you say Commissioner, the Havana issue is, like you said \$20,000-\$30,000. Just imagine they get \$25,000. That's really just wasting their time.

**Chair Holt**

"Well, if we say,,,,"

**Commissioner Hinson**

"We submit..."

**Chair Holt**

"OK, but let me say this, we say that they submit and they get the lump sum tomorrow..."

**Commissioner Hinson**

"That's right."

**Chair Holt**

"OK, they get the lump sum tomorrow. At least they get a lump sum, Gretna's not going to get anything unless you nickel, they nickel and diming the County to death. But, But..."

**Commissioner Hinson**

"But, see, no, Gretna should have the same, the same right. What I'm saying, but since Havana already been, already been passed through the process and since the Board didn't never say anything about the Board about somebody getting a quarterly amount, they going to get theirs that way, but I'm with Gretna 100, you know, 100%. Now, Mr. Attorney, I want to know something here though, because we don't want to be a ripple effect that they go up across the whole county that they, if they try to win or correct them, whatever, because you know, I have a strong relationship with folks over in Gretna as well. Did Gretna follow everything they supposed to follow and not only Gretna, of course Havana followed everything, you know Chattahoochee situation..."

**Chair Holt**

"As far as policy..."

**Commissioner Hinson**

"as far as policy. We're not talking about the receipts, who cares about receipts right now? Did they follow everything that they were supposed to follow from the Board; I ain't talking about from the Clerk, because the Clerk give his own ideas though. As far as the Board, if the Clerk supposed to follow the policies what the County Commission come through, come with, so if the County Commission say OK, long as you show us the reason why you spend this money, we're going to give you this right here, right? As long as it was showing that, I don't think there's a, there's a problem with the City of Gretna receiving their money. Did the City of Gretna do anything wrong? That's the whole problem. If they didn't do anything wrong then, we need to make sure that we are ah, that the Clerk need to pay the seniors there to as well. Did they do anything wrong though?"

**Mr. Weiss**

"Well, I think you have to look at this as a, I don't think they did anything wrong from a policy standpoint. You, ah, what I..."



**Commissioner Hinson**

"So they did follow the policy?"

**Mr. Weiss**

"Well, what, ah, yes, I mean that, except for the quarterly reports. Instead of quarterly reports they submitted receipts. I mean that's the..."

**Commissioner Hinson**

"So they shouldn't have sent the receipts, they should have just sent the quarterly reports."

**Mr. Weiss**

"Well, I mean that's what the policy says..."

**Chair Holt**

"No the (inaudible-several were talking at one time.)"

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

**Mr. Weiss**

"But the purpose, but the purpose obviously behind the policy is to make sure that a) I mean it's to make sure that, that County funds are being spent appropriately."

**Commissioner Hinson**

"Right, right, right."

**Mr. Weiss**

"And the way that the safeguards are, that they have a program that's a valid you know, program for a county purpose; that they have a budget that shows how they are going to use the money and then that they submit documentation, this is true for anybody and that they submit documentation to show the way that they spent the money was in accordance with what can be disbursed by law. Ah, and that's, so they did those, like I said except for the quarterly report, they submitted receipts. But, yes, they did all those things but the Clerk still has, as we have all discussed, I mean, the Clerk still the duty, the obligation to review to make sure funds have been spent appropriately and that's, I mean, that's true whether there's a lump sum funding or not. I mean, you still have to, and I know everybody on this Board wants to make sure that County funds are only being spent for a county purpose. I mean, obviously, I mean, that's, that's for everyone's protection and not only for everyone's protection, but it's what you all want and I know that's true. So, ah..."

**Chair Holt**

"Mr. Attorney, excuse me..."

**Mr. Weiss**

"Yes mam?"

**Chair Holt**

"But, the only thing he asked you was, did they follow the procedure of the Board?"

**Mr. Weiss**

"Yes, they followed..."

**Chair Holt**

"OK, that, that's all that..."

**Commissioner Hinson**

"So long as they follow procedures, well, well, see, right now, you know, I'm gonna tell you something. Two people I don't mind going, getting stressed out about, like Dr. V said, ah, you know, we get all heated up. You, you 100% right. Ah, cause everybody have a, everybody on this Board right here, including the Attorney and Mr. Presnell love the Senior Citizens and the children here, and that's something that we really care about. And we talking about Senior Citizens and kids, it's kinda getting heated up, cause we know we got parents and grandparents and all that being affected by the situation here. They been paying taxes for the last 50-60 years. Now we talking about \$10,000. As long as they follow the policy and those same people voted for me, voted for you, voted for everybody on this Board, you can't take Senior Citizens for granted. I mean, He want to nickel and dime a senior citizen-that's deep. I have never in my life heard anybody want to nickel and dime a senior citizen, and so, and I, you know, so, my humble opinion, my humble opinion, is that as long as they follow the policy, right, them Senior Citizens, my grandparents and everybody else and everybody else grandparents following the policy, he shouldn't, the Clerk, Nicholas Thomason, Thompson, what, I think his name, Thompson, right?... "

**Commissioner Viegbesie**

"Thomas."

**Commissioner Hinson**

"...Thompson, Thomason, Thompson, right, Nicholas Thompson, should not deny them folks from getting their money. And that all, that's all, we shouldn't hold no more conversation about this no more. You should not go against the Senior Citizens in Gadsden County. And then we have a meeting and you refuse to come to a Board meeting and tell, and refuse to come here. I'm looking at my Grandma right now, you know, who struggle and you had weeks in advance to come to this meeting and you refused to come during your work hour. Nicholas, it not that important that you can't come and talk to your Senior Citizens."

**Commissioner Morgan**

"Madam Chair, that's, that..."

**Commissioner Hinson**

"That, that, that's the only thing..."

Commissioner Hinson and Commissioner Holt started talking at the same time. Chair Holt banged her gavel.

**Commissioner Morgan**

"...that's inappropriate about the Clerk, inappropriate comments about the Clerk and that's not professional, Sir."

**Commissioner Hinson**

"No, that's NOT professional, that is my professional opinion."

Chair Holt still banging her gavel.

**Commissioner Morgan**

"That's not professional at all."

**Chair Holt**

"Ms. Franks, come on up."

**Helen Franks, 14615 Main Street, Gretna, FL**-appeared before the Board.

**Helen Franks**

"Good afternoon."

**Chair Holt**

"Good afternoon, pull that mike down."

**Ms. Franks**

"And let me thank you for allowing me to come up and speak. He's talking about the Senior Citizens, the Senior Citizens is my heart."

**Commissioner Hinson**

"That's right."

**Ms. Franks**

"It's my mission in life right now, and your Commissioner, Sherrie Taylor got me started. She was doing things for the citizens over here in the County. I decided I wanted to do something for Gretna citizens. We don't have transportation to come over here and get things done so we have to do things on our own in our own area. I was told that we got \$10,000, nobody gave us any stipulations, no policy. I know, I don't know anything about your policy. All I know is you were giving me, you were giving me \$10,000 to spend. I spent it according to Gretna policies, that if I spent it, it had to be for the Senior Citizens. Every penny that was spent was reported by receipts. Every penny that was spent was for the Senior Citizens. He don't want to pay for bingo prizes. Those Seniors love bingo, let me tell you, they love bingo. You can't buy a candy bar for \$1.00. But I found Dollar General, even Country Dollar have jewelry for \$1.00. So I went all the way to Tallahassee to find gifts for \$1.00 for my Senior Citizens and he refused to pay for it. They love bingo. That's something that they can do and they get a little something to take home for it. So, you know, that was one of the main things they liked when we did it kinds regular. All the food items, some of them that he approved, I don't know how he can approve some and not approve some. All the food was for the Senior Citizens. Every bit that was spent was for those Senior Citizens and they ate there except for one time we went to Tallahassee to compare the program in Tallahassee to the program that we have. We're trying to better our program. So we went to see what Jake Gaither Senior Citizens was doing. So then, we did go out and eat, the group of us did. OK, that was the only exception. But every other meal was had to the Helen B. Franks Center for the Senior Citizens. We even select to make sure we had the same and right age so that we wouldn't violate any laws. Now you said, the attorney said that he wanted to make sure that money was spent the right way, well,

(inaudible) I didn't take a penny from these Senior Citizens money. Well, you can insinuate something and people can take it the wrong way. You said it. I'm paraphrasing what you said. I'm not arguing with you, I'm just paraphrasing what you said. Every penny, every receipt was turned in was spent for those Senior Citizens and we did according to what we thought we were doing that was right. I turned them in at the end of the day whenever we had a program, I turned them in. Whenever we had a program, I turned them in. Like I said, we had no policy, no county policies to go by. We having the same problem up in the future. This next budget year. Nobody's given us any policies to go by. So, here we are in the same situation now we may be in again. We keep trying to work it out. It's our first time, first time that you ever given us any money for our Senior Citizens. I'm hearing that Havana been getting some already. We haven't been able to get any. So, we didn't know what to do but to follow OUR guidelines in Gretna. Also, I want to put my glasses on, sorry, cause I want to make sure I get it right this time. You are talking about another meeting. We could come to many meetings. Mr. Thomas may not never change his mind, it's gonna be to you Board members to pay us if you want to pay us because it was you said we could have the money. And, what is the law, there's a law that say you can't come up with a policy if a crime's been committed. We didn't commit a crime but we did act, we did act, and now you come up with policies after the fact. We can't go back and change what we done. The policies coming out now. You supposed to done this, you suppose to done that, but you didn't tell up beforehand. So we didn't have no idea that we were doing something wrong. I know I did all I could to do right by our rules and regulations. Alright, the next thing I want to tell you-and I'm sorry if I sound a little rough..."

**Chair Holt**

"No, you're fine, you fine, go ahead."

**Ms. Franks**

"I've been dealing with 1<sup>st</sup> graders, 21 1<sup>st</sup> graders, about had me out of my mind today. He picked and chose meals that he wanted to pay for. That's not fair. We tried to get meals from the County delivered to Gretna. We were gonna build, they said we were gonna to a storage. They said we couldn't do that because people would break in and steal the meals. Everything that we tried to get, get meals from the County, they turned us down or we would have had meals. We couldn't get any, so we had to go the route that we were going. I want to make sure that I don't forget nothing. Alright, I was writing things down as you are talking and like I said, we don't know what the policy is. We don't know. I don't know today. We had a meeting yesterday, Thanksgiving dinner with the Senior Citizens. But I don't know if I violated a policy, not nobody gave me one. Alright. Back to that law, I think I've just about covered all, oh, I was looking at the receipts. To be straightforward, to make sure I wasn't accused of spending city money, county money or any other money for my personal use, I turned in a receipt. I had every item there for them to use. I never spent one penny, sometimes I spent my own gas money to go to Tallahassee when I didn't get the city vehicle to make sure that these things were there for these Senior Citizens, because let me tell you, if I missed a meeting, I was sick in the hospital and they got mad with me. I didn't get a get well card, but I got some angry letters and calls because I missed a meeting. They called up and what we doing? We've been doing it for a whole year (inaudible) and I worked with the Senior Citizens at my church for 15 years. We kinda ourgrew it so we moved to the Helen B. Franks Building. The church couldn't afford us. So then we moved and that's where we've been and we've been meeting there for a whole year. A whole year and the only people that we have working there is volunteers. There is no salary being paid to nobody. It's from our heart and the work that we want to do for God. That's why we're there. That's why I'm there. So, you know, like I said, Ms. Sherrie Taylor got me started, she may not know it, but she did. I was looking at the receipts. Sunglasses, little storage boxes,

picture frames, you know how Seniors Citizens want to hang their pictures on the wall rather than put them in a frame. Well, I got some frames for them. They wasn't but \$1.00 apiece. That's what I did. Diabetic socks, that something they could use because all of us are pretty much diabetic at that age. Men's (inaudible) socks, men's, hand soap, mugs, the mugs and (inaudible). Something simple for \$1.00. He would not pay for it. Those are bingo prizes, now what's wrong with paying for bingo prizes? The citizens got them, I didn't. Now tell me what did we do wrong? What did I do wrong? The City allowed me to do it because they told me, I made sure I checked and Mr. Jefferson, (turned to audience) you sure they said we could have the money. He said yeah, he talked to Mr. Presnell, he said to go ahead and that's what I did. Y'all tell me why you don't want to pay us. All this little talk you doing and coming up with now a no, it's late, it's after the fact. Now, let me tell you about Chattahoochee. Chattahoochee was doing pretty much the same. The reason they're not requesting money, they didn't keep their receipts. Now, who told me, the City Manager, he'll tell you he told me so, 'Well, I'm not going to worry about it because we didn't keep our receipts.' Alright, now Havana getting money and I under, heard they get money every, done got money before we got any. But you know what, I thought we wouldn't have any problems if we done what we were supposed to do. Have the receipts for what we spent, turn it in, and then the citizens receive the benefits from the program. Like I said, you came up with all these policies, you gotta have a quarterly report, I never heard of it. You gotta have a, a, what you call it, some kind of service something, I don't know what it was. We've been meeting for years, we never had none of that stuff. We just met and did what we could for Senior Citizens. When you volunteering, you do what you could. I was trained to work with anybody because my job for 25 years with the State of Florida was in Rehab. So that's where I got my training from. But then I spread it on when I retired, I want, now I'm not working for pay, I'm working for God except this little job I got right now with children. But anyway, anyway, I just want you to know that we doing the best, I'm did the best that I could. I can't speak for nobody else, I know what I did. I'm the one that spent the money by the way, nobody else spent any. I did it. But I did it according to our rules, our government rules. If you spent any City money, you got to have receipt to show for it and I had all the items to give the citizens at the end of the day. Now you tell me what I done wrong attorney. Tell me what did I do wrong."

**Chair Holt**

"Ms. Franks, I do appreciate the question because that's what we are trying to figure out. And I don't want you to be upset because and this is how I feel about it. I'm going to be very honest with you. If you had not turned any receipts in you said you did some repairs on the building and you did some of that stuff, you should have gotten \$10,000."

**Mr. Franks**

"Uh-huh."

**Chair Holt**

"Because that's how they paid the other Senior Citizens. Not paying any different, OK, so that's what I'm saying now. On this there are no receipts for that, so you cannot pay one if you don't pay the other and that's my stance and I'm not gonna move from it, Mr. Attorney, and it doesn't matter because you cannot do that as far as I'm concerned by law. Now, Mr. Jefferson, Ms. Franks, you can stay right there, I just need to ask Mr. Jefferson a question."

**Antonio Jefferson** appeared before the Board.

**Chair Taylor**

"Mr. Jefferson, what did you turn in the first time or did you turn something in first and then y'all turned in the receipts?"

**Antonio Jefferson**

"Yes Mam, we turned in the receipts on the first occasion and there was some, the County Administrator asked me to provide some clarification for the program, what were our objectives and I gave him a little history of the program and we also went back and took the actual receipts and categorized them in under meals or equipment or whatever it is that we done, so it would be clear, the receipt tied to meals, the receipt tied to whatever the item was on the budget document that we submitted."

**Chair Holt**

"OK, let me ask you something. On here it says ah, that you couldn't pay for one because it, I guess if you bought gas there was no purpose served on that, ah, if you had to take them somewhere, there was no purpose served on that. For you buying water, there appears to be for more than Senior Citizens for \$37.00. I guess you bought water and you had less than 37 people, I guess they couldn't drink two bottles, right?"

**Mr. Jefferson**

"Right, there's not a water fountain in the building, we had to provide them water."

**Chair Holt**

"Right, so you had to buy them water. But, see, what I'm saying is Commissioners, this is what they need to know to bring back even to the next meeting. Do they need to clarify something? That was the whole purpose of this meeting so that way they could come back with what they needed to do. There are some other things on here that says tickets have no description or can't pay for reasons listed and those are some of the reasons listed. Something was aid they can't pay and Gretna need to know what to bring back so that way the Clerk says this is why they can't be paid. They need to give him some clarification, they need to know that and that's the purpose of them coming to day, not necessarily for a decision, but so that way they would know what the need to bring back. Now, Mr. Manager, was there a reason why you called the Clerk and told him that he needs to provide some clarity on these items?"

**Mr. Presnell**

"Yes Mam, the Clerk's Office, the Finance Office, rejected the first submittal that we sent over and I asked why and got an email describing what the problems were so I called the City Manager and tried to address those questions, scope of work and purpose."

**Chair Holt**

"Did you ever ask the Clerk or the Finance Director what was the difference in them paying the other Senior Citizens with no receipts and this one with receipts? Was there any clarity on that?"

**Mr. Presnell**

"Yes, her response in an email, I think I forwarded that to the Boar as well, was that that money should be repaid."

**Chair Holt**

"OK, but she paid it, so then she need to pay them and then they can repay it to I guess. But you can't do one any differently than you do the other. You can't treat one any differently and..."

Mr. Presnell

"And I think our new Agreement that we have, I've already received it, moving forward, we've addressed these problems where you're desire, it's through an interlocal agreement such as we have with the roads and everything. All of this interpretation will no longer be allowed in the process by the Finance Department."

**Chair Holt**

"But everyone keeps going to that, that hasn't come back before us."

**Mr. Presnell**

"Right."

**Chair Holt**

"OK, so we can look at that later Commissioner Hinson, when you were talking about that, that hadn't been voted on yet."

**Commissioner Hinson**

"What's that?"

**Chair Holt**

"On, on the reporting policy and all of that and the funding..."

**Mr. Presnell**

"For this fiscal year's money moving forward, all cities, all Senior Centers, all non-profit, we have a new agreement. The Attorney, our Finance Staff, the Clerk's Office has looked at it, we gave them a chance to comment and that's already with some of the cities. I think y'all have already looked at it as a commission. But they're going to sign them and we are going to bring them back to this Board and GOING FORWARD, you won't have these arguments with the Clerk's Office. We resolved that."

**Chair Holt**

"Right, but, now..."

**Mr. Presnell**

"It will be audited in a different fashion."

**Chair Holt**

"May I say this? That's still, even if you take it to all these entities, this Board still does not have to approve it in the manner it's delivered, you can still make changes to it."

**Mr. Presnell**

"Nope"

**Chair Holt**

"So, Commissioner Hinson, when you're talking about that lump sum when it comes back, that will be your, your opportunity to debate that point. "

**Commissioner Hinson**

"Right."

**Chair Holt**

"As for now, we're not discussing, I don't know why we keep talking about what's happening in the future. We only have to solve right now."

**Mr. Presnell**

"Madam Chair, may I say something? Address the Board?"

**Chair Holt**

"Sure."

**Mr. Presnell**

"And, ah, this maybe something you're interested in, if not, because ah, I know I've heard the Board's side and talked to the Clerk on numerous occasions and ah, I just want to throw this out here if it helps y'all resolve this, if that's what you are looking for, in this current budget year you have another \$10,000 budgeted for these senior centers. Ah, tonight, if you act before we ah, table this item or vote on it or dispose of it, the additional, he give me the authority to pay them the additional \$2,000, whichever one is agreed to, that would give them a total of \$5,300.00. That would be \$4,700 short."

**Chair Holt**

"We can pay them the \$4,700?"

**Mr. Presnell**

"This year, right, you have the, when the Interlocal Agreement comes, if you desire to, you can pay the difference on this year's, except for the \$10,000, you would pay them the \$14,700, if you are looking to get the money to them. That's, and that will not be no receipts, we won't have to get into all that."

**Chair Holt**

"Right, and we talked, the Manager and I talked about that earlier and that does make sense, ah, if that's what we want to do. We can still do it, but, now, will the Clerk not argue that point?"

**Mr. Presnell**

"Once we bring back this new Agreement, Mr. Attorney, I think there would be no question of that."

**Mr. Weiss**

"Well, if I may..."

**Mr. Presnell**

"And I had this conversation with him as well."

**Mr. Weiss**

"First, I just want, for clarification purposes, I want the record to reflect I was in no way, shape or form trying to insinuate at all that this money was spent for anything that was improper and I



apologize if that was, if I in anyway made that, that is not at all what I was trying to say. All I was trying to was advise the Commission of what the law says in terms of how, the division of powers between the Board and the Clerk. I am not an auditor, I have not reviewed these to determine whether they are proper or improper and I have not in any way shape or form made a determination in that regard and I'm sorry if in any way that came forward. I apologize for that. Ah, but, in response to that question, the new agreement, it effectively tracks the policy in terms of what has to be provided. I mean, you still, and that is really a function whether it's in the agreement or in the policy or anywhere, the Clerk is ultimately going to have the obligation and the duty to review to make sure that the expenditures were spent for a county purpose. I mean, and that's, there is no way around that whether it's in a policy or whether it's in an agreement, the Clerk is going to do that."

**Chair Holt**

"Uh-huh."

**Mr. Weiss**

"So that's, it, and the Clerk likes the idea of having a separate agreement, Interlocal Agreement, for one thing, because everybody knows up front exactly what the policies are and exactly what they will need to provide in order to have the funds."

**Chair Holt**

"Right."

**Mr. Weiss**

"And for another thing, for auditing purposes, it makes it easier is my understanding because then it is more, they can rely more on the cities procedures and policies rather than the County's and you don't have to nickel and dime for lack of a better term and submit individual receipts. It's just a matter of saying, 'Look, this is our program, this is our budget, this is our, broadly how we spent the money in accordance with our policy and in accordance with our budget and then the Clerk doesn't have to review individual receipts. So that, that's kind of the difference in what we're talking about moving forward with this agreement."

**Chair Holt**

"OK, but that would be if we decide to pay them the extra money onto the next \$10,000, but we have not made those decisions yet. But what I want them to do is leave with some idea of what they are supposed to bring back, not necessarily to try to solve a problem."

**Mr. Jefferson**

"Madam Chair, can I just, which I think is to the subject, I personally called the Clerk this week to try to avoid the Board trying to get to the point of where you are trying to get to and I offered, and I asked him if there was a question from Connie relative to what we had submitted, why couldn't myself, Commissioner Franks, or the two of us sit down with Connie and work through what was there and his response to me was that well, he had spoken to Robert, Robert had, was going to move an agenda item that would make Gretna whole and you know, there was no need to meet and then he had to go to a meeting or something. But for us, we've done everything that we know to do to try to resolve this without it becoming a political issue more, you know, because, again, I understand the Clerk's role. I think Commissioner Franks understands that. We've never been against explaining what we have done. The problem is, is that somebody's making a determination

and then drawing the line in the sand and saying, OK, well, I can't do this because as those items are listed and as Commissioner Franks said, the tickets that don't provide any description, we categorized those things just like the ones that she said she could pay. You know, we done the same thing, but we don't know, as you mentioned Madam Chair, what's the difference between the people, the Northside Seafood there and the one for Piggly Wiggly. I mean, it's for the same purpose, so, you know, just so you know that we've done all we know to do to try to get this thing resolved without it having to put, pitch the Board against the Clerk at the end of the day.

**Chair Holt**

"Right, and you're not doing that. Let me tell you something. You're definitely not doing that because this Board needed charity anyway. This issue or any other issue that comes up and if there was a big debate and it was several million dollars, we'd be here a lot of nights, not just one or two, because we have to do that. Boards and as I said before, Boards and commiss, the Clerk's Office have been to court all the time and they go throughout the State of Florida. Collier County, not only did they sue the Clerk's Office, they sued the Clerk's Association. So, this is nothing new Commissioners, and it's nothing new that one win sometimes and one loses sometime. That's nothing new. But what I want to say is this, we want to make sure that when these people leave here tonight, that they have some type understanding of I need to go back and get this, I need to go back and that. Now, the Manager of Gretna had said something pretty much the same thing as what the Manager here said. OK, you guys can settle it out or we can come back and they can add it on, you put an agenda item on for 14 whatever on an agenda item, I will assume that's what he's talking about. That's the only way you can straighten it out because the other one is the \$2,000 for public purpose. That's not going to make you whole because you're going to be at \$5,200."

**Mr. Presnell**

"Well we still need to do that tonight."

**Chair Holt**

"Right, we're going to do that tonight, but I'm saying if you put that official, if you put the \$14,000 on a, what was it...?"

**Mr. Presnell**

"It would be \$4,700.00 short."

**Chair Holt**

"\$4,700 add to the \$10,000 then that's still has to be, is he still going to base it on these receipts?"

**Mr. Presnell**

"No mam."

**Chair Holt**

"OK, so then he'll let it go. You see how this, ah, ah, ok. Then this could have been taken care of already."

**Commissioner Morgan**

"Yep."

**Chair Holt**

"Other than the fact that you could have just said very vaguely what you were going to do and you would have gotten paid."

**Commissioner Hinson**

"That's what I said at the beginning of the meeting, I said at the beginning of the meeting we changed it, we put ourself down."

**Chair Holt**

"I know, I know, that, that, I know, but see, you can't, what Ms. Franks is saying she can't go back and change anything she's already turned in. So that's what she was frustrated for. But that's what was frustrating. But, Commissioners, ah, I don't have a problem with it if there is clarity to them and they know what they are going to do to get back to the next meeting and that's going to be when, Commissioners? Commissioners, they need to know when to come back. We need to set a, is it going to be in the first meeting in December?"

**Commissioner Taylor**

"I think that meeting should be really set according to when the Clerk can be here at the meeting."

**Chair Holt**

"He's at every meeting except the last one."

**Commissioner Hinson**

"He hadn't been to all of them."

**Commissioner Taylor**

"Just want to, may I say a couple of things here?"

**Chair Holt**

"Yeah, sure."

**Commissioner Taylor**

"Thank you. Ah, the statement that I'm going to make is kind of harsh. It is, but it's been in the back of my mind and it's a true statement, but, before you pull judgement on me, just let me finish. OK? Just, just, let me finish, because at the end of the day I am in support of what the Administrator has suggest. I am very much in support of it. But, again, it's a harsh statement, but please, I think you can appreciate it because you are very intelligent woman and all of those with the City of Gretna, they're intelligent. But ignorance is no excuse of the law, it is no excuse of the law because you did not know, because you did not know, does not make it right because you did not know and I am a victim of the same thing. Because I came under that audit. I thought buying air conditioners for a classroom for children was certainly acceptable, taking them on a physical fitness activity roller skating was certainly acceptable, but after being in an audit, I had to pay back some \$3,000. It was unacceptable. I thought parking in a certain place in New Orleans was certainly acceptable, but that was the first time I ever heard the term 'ignorance was no excuse of the law'. So it's not to be disrespectful to you and you say they keep moving the line, keep moving the margin, we can vote around this dais to pay you, but you won't get paid. At the end of the day you won't get paid because he has his ruling, he has his law and I appreciate what you just said, when you don't want a division between the Clerk's Office and this Board. Thank you for that. So the idea that the Clerk, I mean, excuse me, that the Administrator came up with, I'm going to go

with that idea where we can supplant, because in essence, that's all it is. So, you would take, I guess, Mr. Administrator, \$4,700 from some other a line item to cover the food and all else and we will pay for, you know how to fix it so it all works and washes itself out and a receipt or a narrative because I see the narrative that was given by Havana, you learn as you go. You learn, you get smarter, but I think we got the end of the day resolution. This has to be an agendaed item because it's a budget amendment. It cannot be handled tonight. I'm glad he is giving up the \$2,000. So, what we did between the last time we met and now did work, at least \$2,000 worth and then what the Manager came up with will give you your \$4,000. So, with all due respect, if we can just let it be that, I'd be glad to make the motion to that we can get out of here, with all due respect. That's all I have to say."

**Commissioner Holt**

"OK, thank you and Ms. Franks, I want you to know that I do not agree with that statement about the ignorance of the law because there was no law to be ignorant of, there was none to be ignorant of. First of all, our attorney can't tell us what's on this list that's not for purpose, public purpose and several people could not. So, we have an attorney that can't tell us, like I said, Clerks don't always win in court all the time, neither do County Commissioners. They don't win all the time. So, first of all, we would have to tell you what you had or what the policy was and we didn't tell you one. OK, now Mr., ah..."

**Ms. Franks**

"May I ask a question?"

**Chair Holt**

"Sure, come up to the microphone please."

**Ms. Franks**

"My problem is, are we going through the same thing next year, this budget year."

**Chair Holt**

"We're gonna have to vote on it."

**Ms. Franks**

"But what happen if he's gonna pick and choose what they're gonna, what food items he gonna pay for or what he's not gonna pay for. We'll have the same problem..."

**Chair Holt**

"That's why we're trying to get some clarity, if we can get some clarity with an agendaed item..."

**Ms. Franks**

"Alright."

**Chair Holt**

"...with him."

**Mr. Presnell**

"Ms. Franks, we don't want any more receipts moving forward..."

**Commissioner Morgan**

"It won't be an issue next year, moving forward, it won't be an issue."

**Mr. Presnell**

"No receipts."

**Commissioner Hinson**

"No receipts."

**Commissioner Taylor**

"May I, may I, ah, say this one statement?"

**Chair Holt**

"Yes Commissioner."

**Commissioner Taylor**

"Thank you. The statement 'ignorance is no excuse for the law is a very broad statement. It doesn't really cover about policy procedures, or thereof, it's just not knowing and making mistakes and having to pay for it afterwards is what I meant, and that what is actually happened, that's the reason why you can't get your money back because obviously the Clerk or whomever had some rules in place which caused this dilemma and that's why we are here. So that's my clarity on that and as I said a few minutes ago, I'm ready to move the question."

**Chair Holt**

"Well I'm still going to make the statement that says that you must have the law in front of you and there was none, because we don't know, I'm serious, and I want you to know this on other issues, we don't know what's acceptable by the Clerk. That's what we need to know. Then you can say we're ignorant of the law. You have to know what that is first."

**Commissioner Taylor**

"See, see, you just proved my point, but I'm not going to get into it because, because..."

**Chair Holt**

"No, no, you're, you're proving my point that you must know the law first. The law comes first, not your opinion."

**Commissioner Viegbesie**

"Madam Chair, let's, let's move..."

**Commissioner Hinson**

"Move the motion for \$2,000, move for \$2,000."

**Commissioner Viegbesie**

"...let's move the agenda."

**Chair Holt**

"Ah, ah, let me, let me, ah, you have a motion for \$2,000, I have a question, do you have a second?"

**Mr. Weiss**

"Option One."

**Chair Holt**

"Option, option one. So we have a second? (Pointing at Commissioner Viegbesie) You're the second. OK, now the question is, is, was there a certain reason for the \$2,000 Public Purpose?"

**Mr. Presnell**

"They had that amount of those receipts to the right column there, ah, that had to do with food and beverage, ah..."

**Chair Holt**

"Came to approximately that amount..."

**Mr. Presnell**

"Somehow \$2,000 worth of those would be approved with for public purpose if the Board approved it."

**Chair Holt**

"Alright, see, you see right there, that's my point Commissioner Taylor. Right there you have some non-descriptions you gonna pay for them anyway. So, there's no law..."

**Commissioner Taylor**

"See, the thing is..."

**Chair Holt**

"BUT, go ahead, we have a motion and a second, all in favor, all in favor..."

**Commissioner Viegbesie**

"Was there a second, is there a second?"

**Chair Holt**

"Yes there was."

**Commissioner Hinson**

"Who, who second?"

**Chair Holt**

(Pointing at Commissioner Hinson) "You said you made the motion..."

**Commissioner Hinson**

"I made the motion to second..."

**Chair Holt**

(then pointing at Commissioner Viegbesie) "...and I said that's a second and you (nodding her head in affirmative)"

**Commissioner Viegbesie**

"I did not, I mean, I did say second, yes, but I was listening to the conversation."

**Chair Holt**

"Please give me a motion and a second then."

**Commissioner Hinson**

"I made the motion, I made the motion to approve option one, somebody second it."

**Commissioner Viegbesie**

"Where's option one? I'm not to move, option one of what?" "

**Chair Holt**

"Well, you better stop give, stop giving me the head nod."

**Commissioner Hinson**

"Board direction on..."

**Mr. Presnell**

"The \$2,000."

**Commissioner Viegbesie**

"And where is the option one?"

**Commissioner Morgan**

"Page 2 of 112."

**Commissioner Hinson**

"Yeah."

**Mr. Presnell**

"Approve and authorize chairperson to..."

**Commissioner Hinson**

"Page 2 of 112."

**Mr. Presnell**

"...sign the Public Purpose Declaration."

**Chair Holt**

"And I said second and you said second, let's go."

**Commissioner Viegbesie**

"I did not second that..."

**Commissioner Taylor**

"I know you did..."

**Commissioner Viegbesie**

"As loud as my voice is..."

**Chair Holt**

"No, it's called voting, and motions and seconds. I'll second it. I'll, ah, I'll second it. That's fine, I'll second it."

**Commissioner Hinson**

"OK, you second?"

**Chair Holt**

"That's one I'll second. All in favor?"

**Commissioner Hinson**

"Aye."

**Chair Holt**

"OK, item passes. Commissioner Franks and great people of Gretna, that is for the \$2,000 for tonight."

**Commissioner Taylor**

"But that's not what he said."

**Chair Holt**

"That's what the Manager said."

**Commissioner Taylor**

"Is that what it means?"

**Mr. Presnell**

"Yes mam, there will, they will get \$2,000 processed tomorrow and they will cut the check, the Clerk assures me that check will be cut as soon as feasibly possible by his..."

**Commissioner Taylor**

"...signing the Public Purpose Declaration?"

**Chair Holt**

"Yes."

**Mr. Presnell**

"The Chair's going to sign it tonight."

**Commissioner Taylor**

"The option should have been a little bit more explanatory so we would know what we were signing, but..."

**Chair Holt**

"Well, let's go..."



**Mr. Weiss**

"I, I can tell you what the Declaration basically says is that..."

**Commissioner Taylor**

"You better ask permission first..."

**Chair Holt**

"Yeah, you normally do."

**Commissioner Morgan**

"Hadn't we voted and passed it?"

**Chair Holt**

"Ah, yeah. You sound like me. I'm looking at and wondering why you still talking. I don't know why they're still talking. Let's go. Ah, Commissioners, we need to go ahead and agenda this item. You said we need to agenda the item for them to come back, they need to know a date and everything."

**Mr. Presnell**

"Well, ah, then we're going to bring them back as a package with my understanding, I think the City Manager said they had already looked at theirs. Soon as we get Chattahoochee, we're going to bring them back to this Board as a whole to make sure y'all are good with all of it."

**Chair Holt**

"Alright, OK. Thank you."

**Mr. Presnell**

"And then we will deal with the ah, I'll bring you an item on the \$4,700."

**Chair Holt**

"Sure, that will work. OK..."

**2. Travel Approval for the Florida League of Cities 55<sup>th</sup> Annual Legislative Conference for TDC Chairman, Keith Dowdell**

Mr. Presnell introduced the above item.

**Mr. Presnell**

"The last item tonight is revisiting the Gadsden County Tourist Development Council seeks Board direction on the payment of TDC Chairman, Mr. Keith Dowdell's travel to Florida League of Cities 55<sup>th</sup> Annual Legislative Conference. Same issue here, you've addressed it at your last meeting, we added it to the agenda and y'all asked that it be put back on the special meeting agenda."

**Chair Holt**

"OK, Commissioners..."

**Commissioner Viegbesie**

"Madam Chair?"

**Chair Holt**

"Yes?"

**Commissioner Viegbesie**

"I think this is also going to be the same case without the Clerk being here, this issue will also not be resolved because he has the reason for refusing to fund this particular expense. That's why we brought it back for discussion so that he could come and discuss it with us. So this is not going, I'm thinking, I don't think we are going to be able to resolve this like we were able to partially resolve the first item on the agenda. So, having said that, we can, in my opinion, we can talk and talk and talk on this until we turn blue if the Clerk is not hear for him to understand where we are coming from and for we to understand where he is coming from, I don't think there is going to be a resolution to this item. Because he has the last say here to cut the check.

**Chair Holt**

"OK, ah, Commissioners, what we can do on this, you can vote approval of this item contingent upon the Clerk approving it. That solves it as far as approving the travel, he stops it, he stops it. But the item in the, I just, on Clyde's I-pad, found, pulled up the items from the mayor's office down in Orlando and they are setting an agenda for Mr. Dowdell because they have all these items they are doing for eco-tourism and all that, Clyde, I can't even pull up my email. But what they have done and I've called the Clerk and he did say that if they were an agendaed item that they gave an agenda like they did when I went down to look at the murals in-between my two workshops, that then he could go ahead and do it. So that's why I say we go ahead and vote for it and let it go.

**Commissioner Hinson**

"I'll make a motion, since the TDC approved it, I approve to held it back for another week whatever to look into it. You said since the Clerk and everybody decided all the other stuff, I move that we approve it then."

**Chair Holt**

"I'll second."

**Commissioner Morgan**

"Just had a question. Thank you. Just had a question for the attorney. David, what is the reasoning behind the Clerk's position on this specifically, on this particular item?"

**Mr. Weiss**

"I have not had a conversation with the Clerk on this, I think probably, my understanding and I think the Administrator could probably confirm this, but it's, there is nothing on the agenda that relates to tourism."

**Commissioner Morgan**

"OK, thank you."

**Chair Holt**

"OK, ah, this is from the, as I said from the Mayor's office down there and also from the League of Cities. They are saying that 'It was great speaking to you earlier per our discussion, I recommend Commissioner Dowdell to attend the third Thursday in Orlando, which will be November 19<sup>th</sup>', well the week of November 19<sup>th</sup>, 'the activities start from that particular day will be from 6:00 p.m. to

9:00 p.m. What they are going to do is take him around to different economic development engines that they have set forth. One that we looked at was the duck pond, I thought, OK, y'all put that much money in a duck pond, but when you see what they did and how much money they are making off that, then you will see what they are talking about. They made the swan boats that people paddle in, they did all the attraction areas and they are looking at their economic impact was like so many millions of dollars that they made within the first year. So those are the things that we were talking about them going to find out. Now, I don't care about all the other stuff going in Orlando, I'm one of those crazy people that I really do go to class. I love it. The other thing is this Economic Impact Eco-tourism was another one that they brought up that they can go and view and look at that. That one is a little bit more like us because they are doing their bike trails are some in the city, outside of the city and they are looking at the generation of money. I have several of these on my I-pad now. So when you see these and you think a duck pond, when you see what they call a duck pond, you will see why it makes money. The other is the eco-tourism, that's this one. And what they are saying on eco-tourism is not only do you get the bike trail, every so often you stop, they put something there for you to do so it's not just like you are going somewhere just riding a bicycle. The other one that the son of the Mayor of Orlando wrote and this is coming up to the Legislature is agri-tourism, where they go out to a farm, which I thought was more appropriate for us..."

**Commissioner Hinson**

"Ego-tourism."

**Chair Holt**

"...go out to a farm, it's agri-tourism, you go out to a farm, go to the woods, they put something in there for these people that like to hike and bike and all that and they come back. So we have a lot's of farm land that is sitting empty because they are not growing crops. So those are some things that they are putting together that for us to try to see can we come up with some of this stuff to help us make money. But anyway, we have a motion and a second for approval contingent upon the Clerk, which we had to do anyway."

**Commissioner Taylor**

"May I say this before we move the question and I hope you and I don't get into a back and forth on this because I don't like when we get in that position, but let me say this, we are going to find ourselves back if y'all push this thing through, and that Commissioner go out and spend his dollars, in the same quagmire because the Clerk is not going to pay it. We are going to find ourselves in the situation where now it's going to be who's chest is the biggest and then it becomes ugly, as opposed to us just not going with these items right now, if we can't fix them like we did the first one, not going with them right now, fixing ah, the ordinance in some hearings so that in the future this doesn't happen. But this isn't going to end it you approve this tonight and push this on through, he's not going to pay it and then you want to talk about suing the Clerk's Office? That's just a situation we don't need to incur right now. So I'm not in agreeance with approving this, I'm more in agreeance with let's come back and do it the next time if the ordinance permits and presents. That's where I'm at. Thank you."

**Chair Holt**

"Thank you Commissioner. I'm not going to argue with you one bit, because as I've said, if he, it's contingent upon him approving it so that way Mr. Dowdell knows whether or not to spend his money or not. So it's no problem about that. Besides, if everybody starts sticking their chest out,

they'll get over that. OK, we have a motion and a second for approval contingent upon the Clerk checking to make sure that it's in line. All in favor?"

**Commissioner Viegbesie**

"Madam Chair, Madam Chair?"

**Chair Holt**

"Yes Sir Commissioner?"

**Commissioner Viegbesie**

"The, this motion is contingent on the Clerk approving to agreeing to write the check."

**Chair Holt**

"Yes."

**Commissioner Viegbesie**

"OK, I want to make sure that is specific and is clear so if he decides not to. I'm glad you said what you just said. Co..."

**Chair Holt**

"Well, all of it is anyway."

**Commissioner Viegbesie**

"So, so, if ah, Commissioner Dowdell decides not to go because of the contingency so be it, but if he decides to go, which is something I wish he does, if he decides to go and the Clerk deems it not appropriate and refuses to write the check, then we leave it at that. So now that I'm clear of what the motion is, now let's, I'm ready to vote."

**Chair Holt**

"Well, what happens is this, even if we go to the Florida Association of Counties, the Clerk, we have to send it through the Clerk's office and they approve it for our travel, right? Am I not correct Mr. Manager? So he's going to do that anyway, I just put it in there to make you feel better, but he has to do that anyway."

**Mr. Weiss**

"If I may, if that is in fact a motion, because I think the way the motion was stated wasn't actually, there was no contingency on it, but if there is a contingency make sure that's..."

**Commissioner Hinson**

"We'll, we'll put a contingency..."

**Mr. Weiss**

"...just for the record that that is..."

**Chair Holt**

"OK, you amended your motion; I'll amend my second..."

**Commissioner Hinson**

Gadsden County Board of County Commissioners  
November 12, 2015-Special Meeting

"Yeah, I amend the motion."

**Chair Holt**

"OK, all in favor?"

Commissioner Hinson, Chair Holt and Commissioner Viegbesie voted for the motion and Commissioner Morgan and Commissioner Taylor opposed. The motion passed 3-2.

**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 5:22 P.M.

GADSDEN COUNTY, FLORIDA



  
BRENDA A. HOLT, 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 NOVEMBER 17, 2015 AT 6:00  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4-appeared by phone  
Eric Hinson, Vice Chair, District 1-appeared by phone  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
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**

Commissioner Taylor (acting Chair) called the meeting to order at 6:02, said prayer and then led in the Pledge of Allegiance to the U.S. Flag. A silent roll call was conducted by Deputy Clerk, Marcella Blocker.

Commissioner Hinson and Commissioner Holt appeared by phone.

**AMENDMENTS AND APPROVAL OF AGENDA**

Mr. Presnell said he would like to add a presentation by Harry Reed from CRTPA and would like to pull item 11.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**Harry Reed, Capital Region Transportation Planning Agency**, appeared before the Board to say farewell as his last day was yesterday with CRTPA after 9 years.

**CLERK OF COURTS**

**Clerk Thomas**

"Madam Chair, I understand I need clarify a few things, make some comments and answer some questions that you might have.

**Commissioner Taylor**

"Can I ask you to please speak up because the Commissioners that are by phone may have difficulty Sir?"

**Clerk Thomas**

"Alright, well I want to take a minute if it's fine to clarify a few, my position on a few things and answer any questions that you might have because I've missed your last couple of meetings. The first thing I need to clarify is my position on, because I think there was a misunderstanding of my position on any additional increase in funding to the Gretna Senior Citizens in the future should absolutely not be tied

to the receipts that were denied in the fiscal year 2014/2015, OK? It's the County Commissioners prerogative to determine the level of funding, you know the appropriate time for that usually is the budget process, ah, but you should absolutely not tie any additional funding to the denial of those receipts. Again, that's because there were some significant problems with the receipts, I'll just give you a couple of them. I'm putting this out there, you know, for example, there were 5 receipts for TVs, OK, and there's only one in the building and that was confirmed by the City Manager of Gretna, so, never accounted for where the other four were and there was one receipt that was dated the year 2000. Of course the Finance Director listed numerous other problems. Board of County Commissioners and Clerk have personal liability, I'm telling you there were issues so when the Clerk makes these kind of statements we are doing it because it's in, we think it's in the best interest of County. It's in your personal best interest, OK, and then the burden of proof, if you think I'm wrong, is on you, OK? So, that's one statement I want to make. Another statement, another issue, there was some assertion that we were treating Havana and Gretna unfairly or differently and there are two different issues here. So, first of all, Counties can contribute to non-profit organizations or have different missions from what the County has and, you know, the model to follow is how the State does it. If you get money from the State you are going to sign an Agreement up front. Yes, you are going to submit financials because most of the money is reimbursable and I'm not suggesting that you make your process reimbursable, but you are also going to submit audited financials and that has a way of insuring that the money you are doling out is accounted for, better accounted for. I think our current process basically, many people sometimes people get money and feel that they don't have to be accounted for; I think somebody even stated in the meeting that they thought they could do whatever they wanted to do with it. But back to Gretna, Gretna was a volunteer group; it was not an incorporated not-for-profit organization. Good thing they were going to use the City of Gretna as a conduit so, you can't just give county money to volunteer individuals and the best practice, our Governmental relation's best practice, when you are giving money to one group through a conduit is to have an Interlocal Agreement, and that was what we wanted. We couldn't get that, we were given all these receipts and I told you we went through these receipts and when we have to pay from receipts, we apply the County's standard and that's what we did and we determined how much of that that was legitimate that we paid under the County's standard. In the future, we have, back to Havana, Havana Carver Heights was listed as a not-for-profit organization. You are right in that they did not provide the required documents and that was, let me get this right, the County Administrator, I think under undue pressure from Commissioner Hinson, convinced the Finance Director that he would provide that documentation forthcoming really quick. She took him at his word and, yes, they were paid. That type of undue pressure is unacceptable and I think a couple of commissioners have been pushing the boundaries and we will push back, we're not going to have that. We are going to do what is right, what's legal and we will push back against any undue pressure from any commissioner, OK? Ah, any other questions about that particular issue with the funding of the Senior Citizens?"

**Commissioner Taylor**

"Are there any questions, yes, Commissioner Morgan?"

**Commissioner Morgan**

"Mr. Clerk, thank you for being here and I appreciate it and thanks for responding to that because I had some questions about it and it sounds like you have answered one of my questions regarding the Havana issue vs. the Gretna issue so I think that clarified that. I think one of the things we had talked about moving forward since we have chosen to fund these different senior centers, which I have no problem doing that. I certainly on the same page as you..."

**Chair Holt**

“Could you speak into the microphone a little bit louder?”

**Commissioner Taylor**

“A little closer please, the microphone, just bring it closer.”

**Commissioner Morgan**

“So, ah, I lost my train of thought there. But, no, I was going to say that I have no problem in funding if we choose as a whole to fund these different senior centers, that’s fine, but I agree with you 100%, it’s got to be done in the right way when it comes to these receipts or whatever, We have to work out among these Interlocal Agreements. I think what will help moving forward is just clear communication with these different organizations on not even just the senior centers, but anyone that we fund and have these agreements with, what the expectations are both from the Clerk, and from the Commissioner, you know, the Board and the Administrator. So, I think that will help us out, but thank you for clearing that up and thank you for being here.

**Clerk Thomas**

“Well, I agree with you. There was a question about the travel issue for Commissioner, City Commissioner Dowdell, who is head of the Tourist Development Council going to some event that the Clerk’s office determined was not related to tourism. These funds are special revenue funds, which mean they have to be used for a specific reason, OK? We concluded that the agenda provided was not related to tourism and therefore weren’t going to spend tourism money. I’m not sure if you are familiar with the situation out in Okaloosa County. They are dealing with a totally scale of money, hugely different, but they had some troubles spending tourist development council money and the government and cabinet summoned the whole County Commission and Clerk over to the Capitol. So people ended up losing their jobs as a result of that. So, special revenue money is collected for a specific purpose, we concluded that it did not meet that purpose. The burden of proof is then on the Board or whoever is challenging it to provide us with documentation to prove that we are wrong and we didn’t receive anything that convinced us that we were wrong on that. Let me, since we are talking about travel, had a couple of issues with travel and I’m talking Commissioners’ travel, OK. I’m not sure if you are aware of this, but it’s important. A couple of the County fuel cards were cut off and why did this happen? OK, several departments use these accounts and we need the receipts back in order to reconcile these accounts for the proper departments and the expenditure budget. When that didn’t happen timely, the card got cut off, that’s not a good thing because you could potentially have some of your staff out of town and needing to use those cards. Commissioners, when you travel, you need to come back and do your reconciliation, present the documentation because there are consequences when a Commissioner decides ‘Hey, I’m a County Commissioner, I don’t have to bring back the receipt’, OK? So, ah, yes, I’m talking about Commissioner Hinson, Commissioner Holt. And then, one other thing with travel while we are at travel; one commissioner gets rental cars and it appears that he is keeping that car a day or two after the event and back in town, that car is not being turned in timely. I think that is a liability to the County and certainly costs that that Commissioner should be bearing himself and not County. These things get put on the purchase card, but we are going to start doing, we are going to book these things that are due from that Commissioner so we can deal, we are going to nip these situations in bud and we are not going to accept undue pressure from any Commissioner thinking they can break the rules or get away with things that shouldn’t be.”

**Commissioner Taylor**

“Thank you Sir. Are there any...”



**Chair Holt**

“Commissioner Taylor”

**Commissioner Taylor**

“Yes Commissioner Holt?”

**Chair Holt**

“Please, yes, I could not hear anything the Clerk said at all, but can you paraphrase right quick because I have some questions.”

**Commissioner Taylor**

“Yes I can. The Clerk talked about first Gretna and Havana. He did agree there was some disparity between the two. He did say that Gretna was not represented by a non-profit, however, Havana was. He did indicate that receipts should have been forthcoming from Havana, however, one of the Commissioners kind of, through the Administrator, promised that receipts would be forthcoming and because of that particular promise, the Clerk’s Office then released the funds to Havana.”

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

“But, subsequently, I don’t think those receipts were indeed received, so there is a default on the receipts from Havana so picking that particular item out at our last meeting indicating that there were no receipts, that’s the reason why there were no receipts from Havana because they were guaranteed in as much by Commissioner Hinson that those receipts would be forthcoming through the Administrator. He went on to talk then about, Commissioner Holt, about the travel for City Commissioner Keith Dowdell. His position there is that that particular travel does not meet the criteria outlined for using those funding. He then said...”

**Chair Holt**

“Criteria outlined in what?”

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

**Commissioner Taylor**

“He said that he did not, he could not see where that travel was an allowable expense because of the rules and regs already set out by those dollars have been collected for TDC. But he did say something that was interesting...”

**Chair Holt**

“Alright, hold on, let me say this because I spoke with the Clerk and he told me if I got the information to him for the events he would be attending, and I got those from the mayor’s office and the representatives because looking at tourism items that we are hoping to bring back to Gadsden County and also the economic development part from the League of Cities to try to get funding for some of those items through the Legislature. So that’s why I sent over all of those items for tourism to the Clerk’s Office and that’s what I had a question about because their schedule and its all tourism and it’s already set up. That’s what the young lady sent over to his office.”

**Commissioner Taylor**

"You are absolutely right and he did indicate to us tonight that if this Board could present to him evidence that..."

**Chair Holt**

"That's what I did..."

**Commissioner Taylor**

"Well, let me finish this one statement because that, here's where your caveat comes in. If this Board could present evidence to his office that made that department, his department felt as if their decision or opinion was incorrect, they would subsequently change..."

**Chair Holt**

"I can barely hear you, you're coming in and out."

**Commissioner Taylor**

"OK, let me just say it quickly. The evidence you present did not change their position in essence."

**Chair Holt**

"And I'm wondering why because all of its tourism."

**Commissioner Taylor**

"I guess that's a conversation to be had with him, but based on what he shared with, and Clerk please interject at any point..."

**Clerk Thomas**

"That's correct."

**Commissioner Taylor**

"Based on what he has shared with us, Commissioner, can you hear me? "

**Chair Holt**

"Yes."

**Commissioner Taylor**

"Based on his position that he shared with us, it has to be evidence that could change their position and so according to what he said tonight at around 6:25, his position has not changed."

**Chair Holt**

"Well, I have a question for the Clerk."

**Commissioner Taylor**

"Yes."

**Chair Holt**

"I need to know from the Clerk what would qualify as 'tourism' if not the items I sent because that's what the City of Orlando is using as tourism. They have other data too. They even have people to take

Mr. Dowdell to look at some of these and look at the data. It was (inaudible) and one of the items that they have that they have been doing had over 20,000 people to show up in one year and that's also in the data and those are tourism items. That what we are hoping to try to get to bring back. I even got some (inaudible) a gentleman that is over tourism, he's supposed to have some information from Orlando also. So what I'm trying to figure out is what is tourism, if there's 20,000 there for one event and then there's another event that they sent to me today and there are several in that packet, so if those aren't tourism items, then what are? If he can just answer that for me and they can send something else."

**Clerk Thomas**

"He's approved to go to a particular event. The particular event is not related in any way to tourism. He's approved to go to a particular event; the particular event is in no way related to the tourism. Here we go again with this "stretch", right, I mean, we're not going there with this "stretch" to make something that's not there, we're just not going that route, OK? That's my position. I'm not going that route "stretching" something that's not. You're approved to go to this particular place, this particular event but it's not related to tourism and she goes all around trying to get this stuff and we read it, one said something about a duck pond or something, one of them. So, I don't understand this "stretch" to, when you are approved to go to something that's not related...Now, let me tell, so, if a member of the Board of County Commissioners wanted to go to this event that Commissioner Dowdell was approved to do to and was approved, you were paying for it from general fund money that will be fine, would be absolutely fine, OK? So, this "stretch" to use money that is collected for a specific purpose is not acceptable, OK?"

**Commissioner Taylor**

"Hold on just a second Commissioner, I did recognize Commissioner Viegbesie and certainly you thereafter Sir. But, but, Commissioner Holt, were you able to hear the response form the Clerk?"

**Chair Holt**

"No, I could not."

**Commissioner Taylor**

"OK..."

**Clerk Thomas**

"I really wish she would come back and we have a..."

**Commissioner Taylor**

"Hold on Sir. Can you hear me?"

**Chair Holt**

"OK, I can hear you."

**Commissioner Taylor**

"What he said was, this particular event that Commissioner Dowdell has requested to attend, does not relate to tourism. He also said the information that was shared to him does not have the appearance to be on point for tourism. However, however, something you said a moment ago may help that that is for the two of you to talk and maybe give some additional information in lieu of what you have given instead of what you've given..."

**Chair Holt**

"I can't hear, you said something about additional information..."

**Commissioner Taylor**

"Yeah, because what you've presented thus far, Commissioner, I don't think has gotten you to the point that you want, but hold on, we do have a couple more comments if you don't mind, because you did have the floor."

**Chair Holt**

"OK, I was under the impression that economic development was part of tourism and that's what the League of Cities said, that what part of that was. They fund different issues. The League of Cities is doing economic development, that's part of their workshop that they are going to have in their legislative session and you are able to lobby these as we are for the Association of Counties, you go to the meeting, lobby for your position to try to get funding, then the League of Cities goes to the Legislature and helps you lobby for your funding. So that would be the plan, that's the way Florida government works. But you have to get groups to lobby behind you because we can't afford those types of lobbyists."

**Commissioner Taylor**

"Alright, I think we understand your position. Can you yield just for a moment for two Commissioners?"

**Chair Holt**

"What I will do, I guess I will talk with the Clerk tomorrow, because I was told by him that if I provided the information, that he would approve it, the same as I did when I went to St. Petersburg for the murals."

**Commissioner Taylor**

"Thank you, thank you Commissioner. Commissioner Viegbesie?"

**Chair Holt**

"Well I will give him a call tomorrow on that and on Gretna and anything that needs to be brought back and see if I can bring it back to the Commission I guess to not hold up the meeting because we're policy and he's auditor and we should be setting policy. No-one else in the County should set policy but the County Commission."

**Commissioner Taylor**

"Yes, yes, OK, Yes mam. Hold on just for a second."

**Chair Holt**

"Thank you."

**Commissioner Viegbesie**

"Thank you Madam Chair. I think one of the things I was going to suggest is what Commissioner Holt has just said that she was going to do. What I'm hearing from this confusion is the fact that there is, I'm hearing the Clerk say there is a separation of, or there is a correlation between tourism and economic development and that these monies were raised for specific purpose of tourism and he does not see that particular trip as meeting the criteria specified toward the purpose. If Commissioner Holt and the

Clerk meets and they talk with one another about it, I hope they are not going to talk at one another about it and this would probably be resolved and will have no reason to come back to the Commission. Thank you Madam Chair.”

**Commissioner Taylor**

“Commissioner Morgan?”

Commissioner Hinson tried to speak.

**Commissioner Taylor**

“Hold on just for a second. I’ve got Commissioner Morgan and then I will recognize you Commissioner Hinson. Thank you.”

**Chair Holt**

“Commissioner Taylor, Commissioner Hinson called you.”

**Commissioner Taylor**

“Yes, I’ve got him, I heard him, I’m going to recognize him as soon as Commissioner Morgan concludes.”

**Commissioner Hinson**

“OK, great.”

**Commissioner Taylor**

“Thank you Sir. Yes sir?”

**Commissioner Morgan**

“Thank you. So here’s why we’re having this discussion. I didn’t vote in favor of this and I spoke directly with Commissioner Dowdell. Let’s be completely transparent about what this is. This is a Florida League of Cities meeting that will be attended by a City Commissioner whose City paid the registration but does not have the money to pay for the travel. They are looking for another opportunity to have the travel paid for. That’s why we are in this position. That’s exactly what Commissioner Dowdell told me and I would love for him to go and I think it would be beneficial. It’s just not right for the County to be paying for this trip. That’s just the way it is. That’s the right thing to do. So I’m not going to support that and I think that is what the Clerk is trying to tell us in a very professional manner that it’s just not the right thing to do. It’s not that we don’t want him to go and I’m sure it would be very beneficial, but let’s just call this what it is. It’s a Florida League of Cities meeting being attended by a City Commissioner from a city who has paid the registration and unable to pay the travel. Thank you.”

**Commissioner Taylor**

“Commissioner Hinson?”

**Commissioner Hinson**

“Yes, thank you Madam Chair, ah, for some reason I can’t hear as clear as you guys are hearing there right now. But I have a question for you Madam Chair. Can you please repeat what was said about me, Commissioner Hinson, I think you said that the Clerk of Court, he brought my name in there somewhere, I’m not sure what he said.”

**Commissioner Taylor**

"Yes sir, ah, and please be aware I'm repeating and trying my best to paraphrase here. But what was said sir, was, ah, with regards to the receipts for expenditures from the Havana Senior Services, they should have been forthcoming, they should have been made available, but according to the Clerk, you talked with the Administrator and had the Administrator to contact the Clerk's Department to ensure that if they would pay for those expenses, expenses, that receipts would be forthcoming is what he said. There were some other things but you asked about the Havana issue where your name was mentioned, so that's pretty much in essence what he had said with regards to you on that particular issue."

**Commissioner Hinson**

"Madam Chair..."

**Commissioner Taylor**

"Yes?"

**Commissioner Hinson**

"First of all, I don't recall saying that at all. I never talked to the County Administrator about making sure if they do this we'll make sure that the receipts come through. So that's an inaccurate statement from someone."

**Commissioner Taylor**

"Yes sir."

**Commissioner Hinson**

"So, I object to that. In fact put it on record. I did not say that, ah, I'm not sure where he got that from."

**Chair Holt**

"Commissioner Taylor?"

**Commissioner Taylor**

"Yes mam?"

**Chair Holt**

"I'd like to say something in response to what Commissioner Morgan just said."

**Commissioner Taylor**

"Yes mam."

**Chair Holt**

"There is no right or wrong in policy and procedure to just have the approval or you do not approve it, but as far as the League of Cities goes, the League of Cities is the one that financed those roads that we got paved for that \$10 Million. That's how we worked with the League of Cities before and it does not matter whether anyone thinks that an organizational title makes them assert the authority at the State level. The League of Cities has worked with the Association of Counties for years. In fact, the League of Cities sued before on behalf of a County Commission, sued the State and then the County Commission got in later. So, the fact that Mr. Dowdell is a City Commissioner is not important. What is important is he is Chairman of the Tourist Development Council and that Council, we need information coming to us where we can look at projects to bring to Gadsden County. There is no right or wrong in this, but it does

not make any sense for anyone in this County to believe the economic development, which is what they have on the agenda, that they're using for the projects with their cities. It's not important; yes of course that is tourism. The people at the City of Orlando laughed when they said 'You mean to tell me that 52 Million visitors coming to the City of Orlando to look at the projects that they have financed is not tourism? They said they will take anyone from up here around and show them the projects. It doesn't have to have tourism in it. In fact Mayor Dyer (inaudible) agri-tourism that is before the Legislature now, that proposal and that the agri-tourism is in the (inaudible) committee right now."

**Commissioner Taylor**

"Well, Commissioner, I think you said it, I think you said it best earlier in your comments when you said two things that I jotted down. One was that needs to be another conversation between you and the Clerk and I'm sure you will be back here in ample time and then the other was, well I forgot what the other was. But, let's do this, no, I know what it was. You said you didn't want to delay this issue any further. So that was great. So, let's move off of it. Apparently..."

**Commissioner Hinson**

"Madam Chair?"

**Commissioner Taylor**

"Yes? I did want to say this about you Commissioner Hinson. Please make notation Deputy Clerk of Commissioner Hinson's position on the statement made earlier, which was denying the comments made. OK. I'm sorry, Commissioner Hinson?"

**Commissioner Hinson**

"Yes mam, Madam Chair, also too, I'm just curious about this right here because I think during this time, I think like 2014, I'm not sure what year it was, I think Commissioner Croley was on board at the time, the ah, when I first brought this up about the Senior Citizens and they said as long as it was for County use or we think it's in the best interest of the County, ah, that we can, that we shouldn't have a problem. Now we didn't say anything, the Board didn't say anything about bringing back receipts or anything of that nature, if I'm not mistaken, and so, we just said as long as we think it best interest for the County and you know, they show us how they gonna, what they gonna use for that particular project, whatever. So I'm kind of unclear about changing rules without the Board's decision. I'm not sure because I hadn't heard anything about the position, I hadn't heard anything from the County Attorney about this situation here, maybe the law changed within a year or two, I'm not sure, but ah, also, ah, if I'm not mistaken, it doesn't have to be a non-profit, if I'm not mistaken as well, as long as the County says it's being used for a good cause and so, even that don't have to do anything with Havana, but, that's what I was, that's my understanding. So, I'm not sure, maybe, maybe the rules changed within a year or so. I'm not sure."

**Commissioner Taylor**

"Well, well, you're bringing up some great points because to be very honest with you, as far as the rules with expenditures, I'm not quite that clear either Commissioner Hinson. So it seems as if we might need to at some point and time get some clarity, you know, but we'll have further dialogue. May I know acknowledge Commissioner Viegbesie, Sir, if you are finished?"

**Commissioner Hinson**

"Yes mam, I'm finished, I'm finished."

**Commissioner Taylor**

"Yes, yes, yes."

**Commissioner Viegbesie**

"Thank you Madam Chair. I was just going to move that we move the agenda."

**Commissioner Taylor**

"Ah, there is nothing on the floor, but ah, at this time, Commissioner Hinson, Commissioner Holt? We are going to go, we are going to follow on with the agenda, but in conclusion, I think it would be a great idea to speak with the Clerk and Commissioner Hinson, I'm on board with you with maybe having some dialogue or workshop or what have you so that we can have clarity on these expenditures going forward. So, we are moving on with the agenda."

**Chair Holt**

"Do you think everyone, you think everyone will come?"

**Commissioner Taylor**

"I'll be there Commissioner."

**Commissioner Hinson**

"Will the Clerk be there?"

**Commissioner Taylor**

"Oh, will the Clerk...yeah, he's going..."

**Clerk Thomas**

"The Clerk will be there."

**Chair Holt**

"Does he say he's going to be there?"

**Commissioner Taylor**

"Yes, he just said it, just because you asked for him. Both of you asked for him so he agreed to be there as long as the time is convenient for all of us, OK?"

**Commissioner Hinson**

"Commissioner Taylor, Commissioner Taylor..."

**Commissioner Taylor**

"Yes sir?"

**Commissioner Hinson**

"Just for, I know they threw my name out there, but I didn't hear anybody that said I was untrue, so why, how did Commissioner Hinson's name come up about what they said."

**Commissioner Taylor**

"Well, here's what we are going to do. We are going to allow that conversation to be held with you and the Administrator because that seems to be the origin. So let's, when you get back, why don't you make



sure you have that conversation, Sir and get some clarity.”

**Commissioner Hinson**

“You don’t think the people that are there now needs to know that, so that they know we all on the same page?”

**Commissioner Taylor**

“I think the people heard you clearly when you denied the statement made by the Clerk and I definitely asked the Deputy Clerk to make sure that goes into the minutes. So your statement has been recorded Sir...”

**Commissioner Hinson**

“Thank you, thank you very much.”

**Commissioner Taylor**

“...in all fairness to you, Sir. Yes, Commissioner Viegbesie? You asked to move it”

**Commissioner Viegbesie**

“That’s what I asked for.”

**Commissioner Taylor**

“The item has been moved. Next item Mr. Administrator?”

**CONSENT**

Mr. Presnell said the Consent agenda was before them.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4-1 TO APPROVE THE CONSENT AGENDA. COMMISSIONER HINSON OPPOSED.**

Commissioner Taylor asked Commissioner Hinson if he wished to pull anything. He said “Some things, like, ah, the minutes, sometimes, sometimes ah, I’m proud now to know that the minutes here are more rapid now, but sometimes the minutes be so long and so much out, some things you don’t remember (inaudible). So, this time I’ll say yay, this time.”

Commissioner Taylor asked if he said yes to the approval and he said yes. The vote changed to 5-0.

- 1. Ratification of Approval to Pay County Bills**
- 2. Approval of a Resolution: Florida’s Healthiest Weight Initiative**
- 3. Approval of a Proclamation Honoring “World Pancreatic Cancer Day” on Gadsden County**
- 4. Approval of Minutes**  
**-October 20, 2015-Regular Meeting**

**ITEMS PULLED FOR DISCUSSION**

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

**PUBLIC HEARINGS**

**5. PUBLIC HEARING-Approval of Resolution 2015-022 Close-Out Budget Amendments for FY 2015**

Mr. Presnell introduced the above item and said it was for approval of Resolution 2015-022 and authorization for the County Administrator, Finance Director and Senior Management & Budget Analyst to complete and sign all budget amendments necessary to close out the 2015 year budget.

Commissioner Taylor announced this was a public hearing and asked if there were any comments from public and there were none.

**UPON MOTION BY COMMISSIONER VIGBESIE AND SECOND FROM COMMISSIONER MORGAN, THE BOARD VOTED 5-0 FOR APPROVAL OF OPTION ONE.**

**6. PUBLIC HEARING: Legislative-Small Scale Comprehensive Plan Map Amendment from AG-3 to AG-1 on 5 acres along Cox Road at the Florida-Georgia State Line**

Mr. Presnell introduced the above item and said it was consideration of an ordinance to amend the Comprehensive Plan Future Land Use Map for approximately 5 acres of land along Cox Road at the Florida/Georgia State line from Ag-3 to Ag-1.

Commissioner Taylor announced this was a public hearing and asked if there were any comments.

**David Van Aman, 671 Ball Farm Road, Quincy, FL**, appeared before the Board and asked the definition between AG-3 and AG-1.

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

Mr. Presnell explained Ag-3 is one residential unit per 20 acres and Ag-1 allowed one home to 5 acres.

Mr. Van Aman asked if the County had a minimum as far as if a person was able to rebuild if the home was burned, the Administrator said if the home burned, a person would not have to go through the process.

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

Mr. Van Aman said in Madison County you had to live on 5 acres of land and if the home burned, you weren't able to rebuild. Mr. Presnell then said he would have to check with the Planning Staff and he would not want to give an incorrect answer.

**Allara Gutcher, Planning and Community Development Director**, appeared before the Board. She requested to speak with the gentleman outside because his question had nothing to do with the issue at hand.

Commissioner Morgan asked to speak to Ms. Gutcher and asked her recommendation. She recommended approval of option 1.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE**

**BOARD VOTED 4-0 BY VOICE VOTE. (COMMISSIONER HOLT HAD LEFT THE MEETING AT THIS POINT.)**

**7. PUBLIC HEARING: Legislative-Adoption of Ordinance 2015-013 for the Amendment to Chapter 2, Definitions and Interpretations of the Gadsden County Land Development Code**

Mr. Presnell introduced the above item and said it was to consider the adoption of amendments to Chapter 2, Definitions and Interpretations of the Gadsden County Land Development Code.

Commissioner Taylor announced this was a public hearing and asked if there were any comments from the public and there were none.

Commissioner Morgan asked to speak with Ms. Gutcher. Ms. Gutcher appeared before the Board. Commissioner Morgan said he knew they were working on streamlining and updating the documents and Ms. Gutcher said they were working on each chapter and as they were progressing through, they were being brought forward to the Planning Commission, who makes the recommendation to the Board and there will be more in the future.

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

Commissioner Taylor asked the Administrator acknowledge visitors that were at the meeting. Mr. Presnell said the Warden from Liberty Correctional Institution and Gadsden CI was in the audience and asked him to step forward and he said a few words.

**GENERAL BUSINESS**

**8. Approval to Accept the FY 2016/17 Proposed Budget**

Mr. Presnell introduced the above item and said it was for Board approval of the proposed budget calendar for the year 2016/2017.

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

**9. Approval of a Lease Agreement with Neighborhood Medical Center to Lease the Havana Health Clinic**

Mr. Presnell introduced the above item and said it was for approval of a lease agreement with Neighborhood Medical Center to lease the Havana Health Clinic located at 604 East 5<sup>th</sup> Avenue, Havana, FL.

**THERE WAS A MOTION FOR APPROVAL BY COMMISSIONER VIEGBESIE OF OPTION ONE AND COMMISSIONER MORGAN MADE THE SECOND. BEFORE THE VOTE WAS TAKEN, MR. WEISS ASKED TO SPEAK.**

Mr. Weiss asked Commissioner Viegbesie to amend his motion to include the Resolution and state the approved lease agreement and adoption the resolution approving the lease and authorize the Chair to sign.

Commissioner Viegbesie amended his motion to include adoption of the lease agreement between

Neighborhood Medical Center and BOCC and authorize the Chair to sign and adopt the Resolution 2015-023 and Commissioner Morgan amended his second for same.

Commissioner Hinson stated he wanted to talk with the County Attorney and Neighborhood Health Center before it was voted on because constituents called him with questions regarding this matter because they have been turned away from services there and needed to see how the situation could be improved.

Mr. Weiss said in response to Commissioner Hinson's comment, this was for a one year lease and the current contract had expired.

**COMMISSIONER TAYLOR CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**10. Authorization to Enter into a Grant Agreement and Authorize the Chairperson to Sign the Grant Agreement with the State of Florida DEO for Year Two of the Competitive Florida Partnership Program**

Mr. Presnell introduced the above item and said it was for approval and authorization to receive \$40,000 by entering into a grant agreement for Year Two of the Competitive Florida Partnership Program and authorization for the Chair to sign.

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

**~~11. Approval to Purchase Six Dump Trucks~~**

Item was pulled

**12. Approval of Library Annual Plan of Service 2015-2016**

Mr. Presnell introduced the above item and said it was for Board approval for the second part of the 2015-2016 State Aid to Public Libraries that required submission of a Board approved Annual Plan of Service.

**COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE OPTION ONE OF THIS ITEM AND COMMISSIONER MORGAN MADE THE SECOND. COMMISSIONER HINSON HAD A COMMENT.**

Commissioner Hinson asked if a workshop could be held regarding this matter so the Commissioners would know what was going on and how it could be improved. Commissioner Taylor said she agreed and asked him to bring this back up under his comments.

**CHAIR TAYLOR CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS MATTER.**

**13. Approval of Distribution Percentages of 6-cents Local Option Gas Tax to Gadsden County and Municipalities**

Mr. Presnell introduced the above item and said it was for acknowledgement and review of information received from Florida Department of Revenue regarding effective date and rates of the 2015/2016 distribution percentages for Gadsden County that the Department currently had on record concerning the Local Option Gas Tax on Motor Fuel and Special Fuel for Gadsden County

and eligible municipalities.

Commissioner Morgan asked how the percentages related to dollars based on the past year. Mr. Presnell said Gretna's 1.3% related to approximately \$30,000.

Commissioner Viegbesie said he imagined the percentages were reflective of the population of the municipalities and Mr. Presnell said they were based on budgets of the municipalities or road budgets, depending on how they do them and the biggest one, Chattahoochee for instance, had to show documents that they were spending so much on their road improvements and maintenance.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE OPTION ONE OF THIS ITEM.**

**14. Approval of the 2016 County Commission Meeting Calendar**

Mr. Presnell introduced the above item and said it was for approval for the 2016 County Commission Meeting Calendar.

**COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE OPTION ONE AND COMMISSIONER MORGAN MADE THE SECOND. COMMISSIONER HINSON HAD QUESTIONS.**

Commissioner Hinson said he thought it would be more appropriate to wait until the reorganization of the Commissioners and then approve this matter.

Commissioner Morgan said all this item was doing was setting the two meetings for the first and third Tuesday of each month.

Commissioner Viegbesie said he was thinking what Commissioner Morgan said.

**COMMISSIONER TAYLOR CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**COUNTY ADMINISTRATOR**

**15. Update on Various Board Requests**

Mr. Presnell reminded everyone of the workshop scheduled with GHI on December 3 @ 6:00 p.m. at the Quincy library.

Mr. Presnell stated that, as instructed, he contacted the Florida Association of Counties; they did not have anyone that they could send, but they found Vince Long, Leon County Administrator, who would be coming over December 15<sup>th</sup> at 4:30 p.m., to hold a workshop concerning administrative succession plans.

**COUNTY ATTORNEY**

**16. Update on Various Board Requests**

Mr. Weiss said he had nothing to report but was available if anyone had questions and there were none.

**DISCUSSION ITEMS BY COMMISSIONERS**

**17. Report and Discussion of Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

**Commissioner Anthony “Dr. V” Viegbesie, Ph.D, District 2**

Commissioner Viegbesie said he had nothing to say other than to request a resolution and asked for a resolution in recognition for John Andrews for being inducted in Florida A&M Sports of fame. He said the event would be held on November, December 5<sup>th</sup> beginning at 12 p.m. at the Havana Magnet School in the gymnasium.

*Commissioner Holt rejoined the meeting at this juncture.*

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE RESOLUTION FOR MR. JONES.**

**Commissioner Gene Morgan, District 3**

Commissioner Morgan said he had no comments.

**Commissioner Sherrie D. Taylor, District 5**

Commissioner Taylor said she had nothing to report.

**Commissioner Eric F. Hinson, Vice Chair, District 1**

Commissioner Hinson stated he would like to have a workshop scheduled on the library.

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

Commissioner Taylor asked the Board for a resolution or proclamation for Roselyn West Smith, who recently passed away and would like to have something presented at her service that was scheduled for the upcoming Saturday.

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

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THE PROCLAMATION FOR ROSELYN WEST SMITH.**

*Commissioner Holt re-joined the meeting by phone.*

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE FOR A PROCLAMATION FOR KENNY’S TEES FOR BEING INDUCTED INTO THE GADSDEN COUNTY HALL OF FAME.**

**Commissioner Brenda A. Holt, Chair, District 4**

Commissioner Holt said she would like to let the Attorney know when they have their meeting regarding the policy and procedures for granting money to organizations that he be prepared and she asked that the meeting with the Clerk and any other interested entities be scheduled.

**UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 TO HAVE MEETING SCHEDULED WITH THE COUNTY BOARD AND THE CLERK'S OFFICE AND ANY OTHER INTERESTED ENTITIES.**

Commissioner Holt also had a word of caution for the Commissioners when speaking about the Florida League of Cities and how they have helped in the past and reminded them they did finance the County's road paving project.

Commissioner Hinson also asked for a proclamation for parents, who have been married for 50 years.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE A PROCLAMATION FOR COMMISSIONER HINSON'S PARENTS.**

**RECEIPT AND FILE**

18. a. October 23, 2015 Letter from FDOT
- b. October 27, 2015 Letter from FDOT
- c. October 28, 2015 Letter from DEO
- d. Proclamation Honoring Benjamin Franklin Williams
- e. Clerk's Statement of Revenue

**UPCOMING MEETINGS**

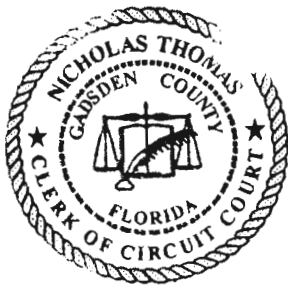
19. December 1, 2015-Regular Meeting

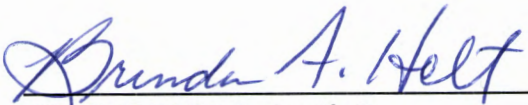
Gadsden County Board of County Commissioners  
November 17, 2015 – Regular Meeting

**MOTION TO ADJOURN**


THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, COMMISSIONER TAYLOR  
DECLARED THE MEETING ADJOURNED AT 7:26 P.M.

GADSDEN COUNTY, FLORIDA



  
\_\_\_\_\_  
SHERRIE TAYLOR, Acting Chair  
Board of County Commissioners

ATTEST:

  
\_\_\_\_\_  
NICHOLAS THOMAS,



**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON DECEMBER 1, 2015 AT 6:00  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4-appeared by phone  
Eric Hinson, Vice Chair, District 1-appeared by phone  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
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**

Chair Holt called meeting to order at 6:00 p.m. and then asked for a moment of silence and led in the Pledge of Allegiance to the U.S. Flag. A silent roll call was taken by Deputy Clerk, Marcella Blocker.

**AMENDMENTS AND APPROVAL OF AGENDA**

Mr. Presnell stated he would like to remove Item 9 and move Item 8 to Item 19A.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED.**

**REORGANIZATION OF THE BOARD**

**1. Election of the Chairman and Vice-Chairman**

Chair Holt said it was time to look at the reorganization of the Board and time for nominations for the new Chair.

**COMMISSIONER MORGAN NOMINATED COMMISSIONER TAYLOR.**

Commissioner Hinson said even though he was Vice Chair, he would like to keep the Board as it currently was.

**COMMISSIONER HINSON NOMINATED COMMISSIONER HOLT FOR CHAIR.**

Chair Holt stated there were two nominations for Chair and would like to vote on the first person nominated. Commissioner Viegbesie requested to vote by voice vote. Commissioner Holt said they would vote for Commissioner Taylor first.

Commissioner Morgan-Yes  
Commissioner Hinson-No  
Commissioner Viegbesie-No  
Commissioner Taylor-Yes  
Commissioner Holt-No

Mr. Presnell said the next nomination was for Commissioner Holt for Chair.

Commissioner Morgan-Yes  
Commissioner Hinson -Yes  
Commissioner Viegbesie-Yes  
Commissioner Taylor-Yes  
Chair Holt was re-elected as Chair.

**UPON NOMINATION BY COMMISSIONER VIEGBESIE AND SECOND BY CHAIR HOLT, CHAIR HOLT STATED WITH NO OTHER NOMINATIONS, NO VOTE WAS REQUIRED. COMMISSIONER HINSON WAS RE-ELECTED AS VICE CHAIR.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

There were no awards or presentations.

**CLERK OF COURTS**

Mr. Thomas was present and had no report for the Board.

**CONSENT**

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

2. Ratification to Pay County Bills
3. Approval of Minutes
  - a. November 3, 2015-Regular Meeting

**ITEMS PULLED FOR DISCUSSION**

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

John Due speaking on agenda item

Sam Palmer speaking on agenda item

**Alphonso Figgers**

Mr. Figgers appeared before the board to make a presentation to some of the County Commissioners and Departments that assisted them in Shaw Quarters Day. He then presented Certificate of Appreciation to Commissioner Viegbesie, to Gadsden County EMS for bringing out an ambulance for the kids that day, to the Gadsden County Health Department and to GTI.

**PUBLIC HEARINGS**

4. **PUBLIC HEARING(Legislative): Consideration of Adoption of Ordinance 2015-015 for Small Scale Comprehensive Plan Map Amendment (CPA 2015-05)**

Mr. Presnell introduced above item and said it was to consider the adoption of an amendment to the Comprehensive Plan Future Land Use Map totaling approximately 3.6 acres of land east of

Concord-Bainbridge Road on two parcels from Agriculture 2 to Rural Residential.

**Allara Gutcher, Planning and Community Development Director**, appeared before the Board to give a description of the location.

Chair Holt announced this was a public hearing and asked if there were any comments from the audience and there were none.

Commissioner Morgan asked Ms. Gutcher questions regarding the item and she answered them.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER MORGAN OPPOSED.**

**5. PUBLIC HEARING: Approval of Budget Amendment 160017 and Resolution 2015-024 to Purchase Six Dump Trucks**

Mr. Presnell introduced above item and stated it was for Board approval of Resolution 2015-024 and Budget Amendment 160017 to move funds from Transportation fund balance to the Public Works operation budget for the future purchase of six dump trucks.

Chair Holt asked if this was for purchase and not lease and Mr. Presnell explained they had anticipated leasing the trucks, but became apparent it was letter to own the trucks.

Chair Holt asked if there were any comments from the audience and there were none.

Commissioner Hinson said he would like to see the pros and cons on leasing vs. purchasing the trucks and asked if they had looked locally. Mr. Presnell said yes, they had received a bid from Ring Power in Midway.

Commissioner Morgan asked if all six trucks were necessary and Mr. Presnell responded yes with paving project that was currently going on, they needed all the trucks.

Chair Holt said she liked the lease better because if they were owned, they were yours and asked if they could get figures for a lease, buy-back and purchase and if it could be brought back on the next agenda. Mr. Presnell said they were in desperate need of the trucks and it would delay the road building.

Chair Holt asked about the buy-back and Mr. Presnell explained they give you a guaranteed amount of what they would give you for the truck five years from now that is in the \$50,000 range and are getting \$56,000 for the trucks and did not see why they would want to lock themselves into that number when may could do better on the open market. He further stated that they had looked at every angle and a lease was not the way to go.

Commissioner Taylor said the Manager indicated he had looked at all three scenarios and had brought back the best for the Board to consider and she was ready to call the question.

Commissioner Hinson said he had looked at the bidding process and did not see any pricing on the information. Mr. Presnell said they would see that later in the agenda when the truck purchase

came up and said this was to move the money to buy the trucks.

**COMMISSIONER TAYLOR MADE THE MOTION TO APPROVE OPTION ONE AND COMMISSIONER MORGAN MADE THE SECOND. COMMISSIONER HINSON HAD A COMMENT.**

Commissioner Hinson stated he could not vote on this item because he wanted to see everything before he made a decision.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER HINSON OPPOSED.**

**6. PUBLIC HEARING: Adoption of Ordinance No. 2015-018, An Ordinance of the BOCC of GC adopting procedures, criteria and requirements for the installation and removal of traffic calming devices**

Mr. Weiss introduced above item and stated this was for an ordinance to adopt procedures, criteria and requirements for the installation and removal of traffic calming devices on certain County roads and explained the process to everyone.

Commissioner Hinson asked how the process worked now. Mr. Weiss said there was no real difference, that a couple of months ago they adopted the policy and was very similar but felt when they start talking special assessments, to have it adopted as an Ordinance so it was clear on the books and the public had access to it. Commissioner Hinson asked if there had been an issue and Mr. Presnell said there had been requests from time to time where people were interested in putting speed bumps on the road.

Chair Holt asked if there were any comments from the audience.

**Jewel J. Dixie, 599 Rice Road, Chattahoochee, FL 32324**, appeared before the Board and stated his concern was if the County put speed bumps on a public road, he did not think citizens should have to pay to have the speed bumps placed when they already pay taxes for upkeep of the road.

**Charles Morris, 23201 Blue Star Highway, Quincy, FL**, appeared before the Board and asked if a traffic calming device such as a street light was needed if that would have to be paid for and how other municipalities and counties handle this.

Commissioner Hinson said he was thinking same thing as Mr. Dixie and Pastor Morris had expressed.

Commissioner Morgan asked what determined the eligibility of a road and Mr. Weiss explained the criteria was that it had to be a county road that met county road standards and was used primarily for access to residential properties and the speed limit was 25 miles per hour or less. Commissioner Morgan asked where it specified in the Ordinance who would prepare the non-ad valorem assessment roll and Mr. Weiss explained that and also explained that a special consultant would be involved to insure the County was following all requirements related to non-ad valorem special assessments.

There was further discussion around the Board concerning this matter.

Chair Holt said a special taxing district had been done in the past for paving and never got the money back and was not in favor of it at this time.

**COMMISSIONER HINSON MADE A MOTION TO DISAPPROVE AND REJECT THE ORDINANCE AND COMMISSIONER MORGAN MADE THE SECOND. COMMISSIONER VIEGBESIE HAD QUESTIONS.**

Commissioner Viegbesie asked Commissioner Hinson if he would amend his motion to tabling this item and Commissioner Hinson stated no.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0.**

**GENERAL BUSINESS**

**7. Approval of Contractual Agreement between CenturyLink and GCBOCC**

Mr. Presnell introduced the above item and said it was for Board approval for the contractual agreement between CenturyLink and GCBOCC and for authorization for the Chair to sign.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**8. Agreement with the Management Experts, LLC to Review and Update the Gadsden County Local Mitigation Strategy**

Item moved to 19a

**9. ~~Request from Jones Community Health Center to Lease the Chattahoochee Health Department~~**

Item removed

**10. Discussion and Consideration of Video Recording Services for the County Commission Meetings**

Mr. Presnell introduced the above item and said it was for discussion and consideration of initiating video recording services for the commission meetings.

Commissioner Viegbesie asked if this was an action item or was discussion only. It was pointed out it was for Board direction.

**COMMISSIONER VIEGBESIE MADE A MOTION FOR THIS ITEM TO BE APPROVED AND FOR THE VIDEO SERVICES TO BE BID OUT.**

Commissioner Morgan said he appreciated that the Board had this item placed on the agenda and pointed out there was a local videographer who did this previously and asked if they were required to bid this out?

Commissioner Hinson asked if it should be an RFP or a bid and Mr. Weiss explained the difference in the Request For Proposals and invitations to bid.

Mr. Presnell explained in the past when this item was bid out, he was certain there was a reason and he would explore that if the Board wished to look at it from a professional services standpoint.

Mr. Lawson appeared before the Board to address their questions and added that with an RFP,

they could put their in the criteria they want to bid on.

Commissioner Morgan asked if they made the motion to put an RFP up, when that could come to light. Mr. Lawson said the latter part of January would be doable.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO HAVE STAFF ISSUE AN RFP FOR VIDEO RECORDING SERVICES.**

**11. Amend County Employment Application-Ban the Box**

Mr. Presnell introduced above item and explained that “ban the box” legislation had been passed in several states to give individuals with criminal records an opportunity to receive fair consideration in employment opportunities.

**COMMISSIONER HINSON MADE A MOTION TO APPROVE AND COMMISSIONER VIEGBESIE MADE THE SECOND WITH A QUESTION.**

Commissioner Viegbesie asked about the option “No Board Option Required” and Mr. Lawson appeared before Board and said Board did not have to vote to change the process because the applicant process came before the Administrator.

Commissioner Hinson withdrew his motion and Commissioner Viegbesie withdrew his second.

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

**John Due** appeared before the Board and said in his experience, it was very bad when any person was asked if they had ever been arrested and a lot of them believed if they had their record expunged, they would not have to tell the truth.

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

**Sam Palmer, 1235 Berry Street, Quincy, FL**, appeared before Board and said he felt once a person had been incarcerated and paid their dues, they should be able to get a job.

**Pastor Charles Morris, 23201 Blue Star Highway, Quincy, FL**, appeared before the Board and said because this was a progressive movement that was sweeping the Country, he felt it would be good if the local Commission endorsed this.

Commissioner Viegbesie said Pastor Morris just stated what he was going to contribute and he also felt it was a progressive movement and the President of the Country supported and hoped they could suggest that the Administrator ban the box.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO MAKE THIS AN ENDORSEMENT TO BAN THE BOX.**

**12. Approval of Additional Line Item Funds for Microsoft Licensing Agreement**

Mr. Presnell introduced above item and said \$55,000 had been budgeted for software purchases for Microsoft Licensing that were used for the County’s day to day functions and the licensing

ended up costing \$65,000 and this was a request for approval of additional line item expenditure of items purchased off of state contract.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**13. Appointment/Reappointments to the Small County Coalition Board of Directors**

Mr. Presnell introduced the above item and said it was to appoint or re-appoint two representatives from GCB OCC to the Small County Coalition Board of Directors and identify a county staff person to serve as the County liaison.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE RETENTION CHAIR HOLT AND COMMISSIONER HINSON.**

**14. Approval of Non-Profit/Human Services Funding Agreements and Interlocal Agreements for Human Senior Service FY 2015/2016**

Mr. Presnell introduced above item and said it was for approval of the Non Profit/Human Services Funding Agreements and Interlocal Agreements for Human Senior Services for FY 2015/2016 and for authorization for the Chair to execute the agreements. He further stated there were six non-profits receiving between \$5,000 and \$6,500 and three organizations providing services to area seniors receiving \$10,000.

**Chair Holt**

"OK, Commissioners, on this item I have several comments and strike-outs, but I would like to hear from commissioners first."

**Commissioner Morgan**

"Thank you Madam Chair. So, this item, the actual agreement is for one year, is that correct for the term of the agreement?"

**Mr. Presnell**

"Yes sir."

**Commissioner Morgan**

"...for each of these different organizations?"

**Mr. Presnell**

"For each organization it's one year."

**Commissioner Morgan**

"So some of these organizations that are currently receiving funding have an agreement beyond twelve months, in other words, for example, there's some that were originally three years, maybe two left..."

**Mr. Presnell**

"Only the Boys and Girls Club."

**Commissioner Morgan**

"OK, so there's one example. Ah, is there something that we need, from the attorney's point of view, is there something that needs to be put in here that specifies as to the dollars being appropriately budgeted by the Board? In other words, what if these funds aren't approved in the budget for whatever reason, obviously they can't be paid out. So, there should be something in there, in my opinion, that says subject to board approval of funding and it may be there..."

**Mr. Presnell**

"Well, these agreements only pertain to organizations that you have already approved for this year; they are already in your budget."

**Commissioner Morgan**

"So that was my original question..."

**Mr. Presnell**

"Yeah, we don't have one for, one of these will not be done for the Boys and Girls Club."

**Commissioner Morgan**

"OK, so let's just take Chattahoochee Main Street organization for example. That was originally a three year agreement, \$5,000 a year for three years..."

**Mr. Presnell**

"There was discussion but it was not passed in that form. Each individual year you had to budget just like we did this year, budgeted, if you look at the budget..."

**Commissioner Morgan**

"That was not a three year agreement that we passed?"

**Mr. Presnell**

"There was a lot of discussion about two different organizations, I think it was Main Street and the Senior Citizens."

**Commissioner Morgan**

"My understanding was it was a three year agreement, but, if it's not, it's not. It's OK. But, I guess what I'm trying to say is, so it doesn't matter then, David, if it has it here whether or not the dollars have been appropriately budgeted?"

**Mr. Weiss**

"Yes, and if it's only an annual contract, and that's the reason it's not in here because I do put it in every contract that we have that is in excess of a year."

**Commissioner Morgan**

"I know."

**Mr. Weiss**

"I make sure that it always has that contingency so that funding, because this was going to be a annual, each one of these were, as I stated, an annual contract based on an annual appropriation that has already occurred prior to executing the contract. I didn't put it in here, ah, just solely for



that reason, it wasn't necessary, but..."

**Commissioner Morgan**

"If you, if your opinion it's not necessary, I'm good."

**Mr. Weiss**

"As long as, again, with a caveat, as long as we are only using these for one year terms and it's already been, the funds have already been appropriated, then it's not necessary."

**Commissioner Morgan**

"OK, help me understand the pay-out of the sums. Did I understand it such that some of these would be paid out in lump sums? And so, that lump sum payment is only after appropriate documentation have been received, if that correct?"

**Mr. Presnell**

"Ah, yeah, they submit that to the Finance Department, ah..."

**Commissioner Morgan**

"Here's my concern. Are we going to be paying out any taxpayer dollars without appropriate documentation prior to..."

**Mr. Presnell**

"Yeah, in some instances you may because if you give small ones like the \$5,000 and \$10,000 and you are doing it in the first quarter and they are required to turn in quarterly information, yeah, you could..."

**Commissioner Morgan**

"Why would we do that?"

**Mr. Presnell**

"Because it's such a small amount that an organization would need the \$5,000 to function or accomplish the task that they were receiving the money for. If you did it quarterly, they would get \$1,000 every three months."

**Commissioner Morgan**

"Well, I don't have a problem if we do it as the receipts are turned in is what I'm trying to say. It doesn't matter to me. But you are talking about how much total money here among all the different agreement. Where did I see in there, \$31,000? So it's not just \$5,000 you are talking about."

**Mr. Presnell**

"But, like the music theater, they probably would like to get their \$5,000..."

**Commissioner Morgan**

"No question, I understand that. I know they would."

**Mr. Presnell**

"The Senior Centers are \$10,000 each..."

**Commissioner Morgan**

"I understand..."

**Mr. Presnell**

"So if you did it quarterly, they would be getting like \$2,500 and in some instances, that's not enough to accomplish what they were doing. If they were buying meals or something quarterly along, there might be time. But if you are trying to work on a building, replace a floor or something along those lines..."

**Commissioner Morgan**

"Why can't we just reimburse them throughout the year as they turn in their receipts?"

**Mr. Presnell**

"That's up to y'all."

**Chair Holt**

"Yeah, I, to be very honest with you, I don't, I'm not in favor of that at all. When we set to give them \$10,000, I think that we should be able to do that and then they should be able to fix the floor and turn in their receipts simply because if it's not illegal, if it was used for the organization as we asked them to do, and then if it's illegal, then it's not going to be paid because it's right here in the documentation to pay it if it's not illegal."

**Commissioner Morgan**

"But it's already been paid."

**Chair Holt**

"No, what I'm saying is, to not pay it, OK, if they come back and say 'Well, I did this' and I did not, if we find out in the audit that's it's not, then they gonna have to pay that money back."

**Commissioner Morgan**

"What if they have no money?"

**Chair Holt**

"But, what has happened is this, if they had it, they did it and they did what they was supposed to do and they didn't get paid. Are we not liable for not doing what we said we were going to do?"

**Commissioner Morgan**

"No, we need to do what we said we were going to do, but we need to do it because its taxpayer dollars and it needs to have appropriate documentation..."

**Chair Holt**

"It was taxpayers' dollars from the ones that paid it..."

**Commissioner Morgan**

"No, there was not. There was some question in regard to that."

**Chair Holt**

“What I’m saying though is, the one group that make them not be taxpayers is because they are getting money. I’m just saying they are still taxpayers.”

**Commissioner Morgan**

“Well I understand that, but its taxpayer dollars. Understand please, I’m not arguing with doing that. All I’m simply saying is, it’s just common sense as they turn in their receipts, get them a check through the Clerk’s Office.”

**Chair Holt**

“Let me ask you this, Mr. Manager, and then we can go onto someone else. What, how do we do that with the Chamber? Do we give them money or do they give us receipts?”

**Mr. Presnell**

“This takes us away from receipts. This process right here is to remedy that situation...”

**Chair Holt**

“Nah ah, no, no, no, I’m just asking, do they produce something and then turn in receipts, that’s all I’m asking. Do they give you a product of work?”

**Mr. Presnell**

“They produce an invoice with numbers of what they, of how many people they met with, their work?”

**Chair Holt**

So they turned in a work product and then they got paid. Then they don’t need receipts, right? They can just say we are going to do this and we talked with ten people or we did ten things, then give us the money. So what I’m saying we can’t treat one organization any differently than we treat others.”

**Commissioner Morgan**

“So, essentially, what you are saying with this document, Mr. Attorney, is that we contract with, and I’ll just pick one out here because I’m familiar with it, Chattahoochee Main Street for whatever the sum is, \$5,000, \$10,000. We are going to cut them a check for \$10,000 and not require any documentation or anything?”

**Mr. Weiss**

“No, this agreement obligates them to provide all the documentation that is required under your current policy. You have a current adopted policy that requires basically three things and one is a detailed budget, the other, two is a written narrative regarding the program that is being offered and three, is quarterly financial reports. This does allow discretion in terms of how payments will be made, whether its going to be a lump sum payment or if there will be quarterly payments. But they are never relieved from the obligation to provide the documentation that they have to provide us per policy.”

**Commissioner Morgan**

“So, my concern here is, what if they spend money on something that is deemed inappropriate?”

**Mr. Weiss**

“In the agreement they are obligated to return the funds.”

**Commissioner Morgan**

“What if they don’t because they don’t have the ability to do that?”

**Mr. Weiss**

“Well, if we would like to sue them, we could.”

**Chair Holt**

“True.”

**Mr. Weiss**

“I mean, that would be remedy or try to work something out somehow short of doing that.”

**Chair Holt**

“OK, (looking at Commissioner Morgan) are you OK? “

**Commissioner Morgan**

“Yeah.”

**Chair Holt**

“Commissioner Viegbesie.”

**Commissioner Viegbesie**

“Thank you Madam Chair. I am, this is just for clarification. On the agendaed item, it says ‘Upon approval of this item, the Board is authorizing that the organizations be paid the amount listed above with a lump sum payment to each’ of them and then on Section 2 of the Agreement says, ‘...No funds shall be disbursed until Grantee has provided all required documentation’. What kind of documentation are we requiring, are we asking for just documentation that is bone fide organization or documentation of projected expenditure and services to be provided and to assure that the money they are receiving is actually going to be used for what they say it is going to be using it for. Because upon approving this today, they are going to get their money lump sum. That’s what the item says on the agenda. Then the agreement itself says ‘No funds shall be disbursed until Grantee has provided all required documentation’. I need clarification on that.

**Mr. Presnell**

“Madam Chair?”

**Chair Holt**

“Yes, go right ahead.”

**Mr. Presnell**

“OK, at the beginning of the year, and most of these organizations have received funding in the past so they are used to this process, most of them, the majority of them are very good. We require the budget, a detailed budget what you’re going to do with that money for the year and then a summary like a work plan, what you intend to accomplish or how many people you are going to see, or serve, or Main Street program, what advertising you are going to do or what banners you are going to buy. They present that at the beginning of the year before the money is

disbursed. That's really nothing new. You have a policy in place that's you've had for a while that requires those three things. Those are two of the three things."

**Commissioner Viegbesie**

"Thank you Mr. Manager."

**Chair Holt**

"Repeat those three things one more time."

**Mr. Presnell**

"What is a detailed budget; work plan as I call it, what's the proper term, David in the ordinance?"

**Mr. Weiss**

"Basically a program with those narratives outlined in the objective. But, yeah, a work program."

**Mr. Presnell**

"And the third?"

**Mr. Weiss**

"The third is quarterly financial reports."

**Chair Holt**

"Obviously you can't provide all of your financial reports prior to that. If you are receiving a lump sum fund you can't provide all of those, ah..."

**Chair Holt**

"So, they can turn in invoices and that would pretty much solve one of those because if they had a invoice saying that I'm going to go and let's say, this building needs some repairs. I go out and get some estimates and they give me the estimate what that's going to be. They choose say, contractor "B" and its \$6,000. That \$6,000 can be invoiced to repair that floor and that can be paid at that time. Question. That's my question following what you have. They talk to the contractor, they chose the contractor to come and fix the floor, its \$6,000, OK? So then they would turn that in to the Clerk's Office or the Manager or whomever they give it to. They can get the \$6,000 to fix the floor. That's all we need to know."

**Mr. Weiss**

"I don't, that would be, really that's not required at all under any of these requirements. That to me is, if you are talking about invoice, that could potentially take the place of a quarterly, I mean I wouldn't even say it should take the place of a quarterly financial report, I think that what we are trying to do with these is establish that it is an existing program with certain objectives that has a budget that is funded somehow other than only County funds and then it's actually keeping track of their financials so that we can see that the funds are being spent appropriately."

**Chair Holt**

"OK, but you are talking about the County funds, not their funds."

**Mr. Weiss**

"Correct."

**Chair Holt**

"So why would you need to know what their funds are? Because you are only concerned about what the County funds are. You are going to give them \$10,000, then they are going to do the \$6,000 worth of work. They should be able to go back later on after the \$4,000 if they do some more stuff. They don't do anything, the \$4,000 stays in the back, stays with the County. But, what I'm saying is the plan of work may only be to fix the floor. So you can't project some of these things out and you are looking for organizations to do detailed work with detailed budgets when people don't have staff or the accounting to do it. So, the reason I'm asking these to give all these things, we are trying to help them to get to that point. Not penalize them because they don't have anyone to help them with this. So if they are just trying to get the seniors in there like one of the things we looked at on the item was they don't have a water fountain so they bought water. OK? So they went and bought water and then they turned in an invoice for water..."

**Mr. Presnell**

"Moving forward we do not want the invoices."

**Chair Holt**

"Thank you. So what I'm saying is they don't have anyone to write up these narratives and do all these things that you want. When I look at this, containing cost categories, line item as applicable, showing the budgeted plan for use of the funds. I see the use of the funds, how you plan on using it. But some of these things I don't see. Commissioner Morgan?"

**Commissioner Morgan**

"Thank you Madam Chair. I think we all agree that we want to help these local organizations that provide benefits to our citizens. I don't see anybody up here that disagrees with that. Ah, what my, I guess I missing the connection, but what's wrong with, and I'm just going down the line just picking one here of the list. Let's say that Gadsden Music Theater, we are providing x number of, \$5,000 or whatever it is a year to them. They have decided to put on a show during Christmas, A Christmas Carol, and they want to go out and spend \$3,500 on the set to get it ready for the program so they go out and they do that, they spend those dollars. Why can't they just simply check with the Clerk, say 'OK, is this a legitimate expense', go out and do that, present the receipts and we pay them, or they get paid. What's wrong with that process and then, if they got \$5,000 and only used \$3,500, then they don't use the other \$1,500. What's wrong with any of these organizations following through with that? What I had the issue with prior and what I think got us into this issue previously with the other organization is, there was no communication about, they just knew 'I got \$10,000', that's all they knew and we are going out and spend it. That was where, that's how it all got started, that's where the issue got started. But, my issue is, because we have the responsibility as custodians of the taxpayer dollars, while we want to help these organizations, we want it done the right way and be done in an accountable way. It's not that difficult to do that. I've got a 19 year old and if I give him money and he goes and spends it, I want to see the receipts. Because I know he's going to do exactly what I did, nobody asks, I'm keeping the change. So, what I'm saying is, what I'm saying is, why not, it's not a difficult thing, it's very simple to do. I'm not saying it's easy, but a very simple process. Here's the amount of money you are getting for this year. If there is an adequate expense that you want to spend it on, check with the Clerk's Office and the Administrator and see if it's a legitimate expense, if they say 'you have my blessing, Child', go forward, get it done, turn the receipts in, they get a check. It ain't that difficult."

**Chair Holt**

"I have a comment on that but I think someone else had a comment. Does anyone else have a comment? I do. If the Clerk's Office says I'm not going to pay it and we're not following State Statute, then what do we do. We're in that, no I'm just being hypothetical about that, because what does it say and I asked the attorney. Would you please read those two paragraphs for me because this is what's confusing, not only, not only in Gretna's case, but some people in the City of Quincy asked me the same thing. So would you read that to us and let's see if we can get some clarity there, because... High yellow (pointing to a paper the Attorney is holding)"

**Mr. Weiss**

"Well, I think you need to look, first of all, I think this needs to be considered in context because the question that is being answered from the Attorney General or by the Attorney General, excuse me, there were two questions asked. One is 'Is the Clerk in a non-chartered County authorized to pay county bills without prior approval of each specific bill by the county commission'; and two is 'If not, may the county commission delegate the authority to pay county bills to the Clerk of Court without prior approval from the Commission for each bill'. Basically, the response to these questions are, first, the County Commission must make the determination in the first instance that the expenditures serve the County purpose so that the Clerk doesn't make that determination in terms of what constitutes a county purpose. Now, however, the, once the Commission finds that the expenditure serves a purpose, then the Clerk determines that the expenditure is authorized by law, then the Clerk can pay it without the County Commission coming back subsequently and telling the Clerk to pay it. That's basically the response so that the..."

**Chair Holt**

"The reason, I'm sorry if you are not finished."

**Mr. Weiss**

"No, go ahead, no."

**Chair Holt**

"You stopped, I'm sorry. The reason I'm asking that is because that's what we have now. Even if we do this, what makes it not be, because you're saying if they turn this in and from what you are saying Mr. Attorney, same thing we said the other day, the County decided it was in the public purpose. We said, 'OK, do this' and the Clerk says, I mean Finance says 'I'm not going to pay it', we're right there now so we didn't solve anything."

**Commissioner Morgan**

"But we're not there."

**Chair Holt**

"Why?"

**Commissioner Morgan**

"Because that can be avoided by just simply communicating prior to the expense. That's all you've got to do."

**Chair Holt**

"Even if it's prior, even if it's prior..."

**Commissioner Morgan**

"No..."

**Chair Holt**

"Wait, let me say this. Even if it's prior because remember, if it serves a public purpose..."

**Commissioner Morgan**

"Right, so if..."

**Chair Holt**

"That doesn't mean that you have a lot of discretion there."

**Commissioner Morgan**

"OK, so if an organization, let's use the example I just used, Quincy Music Theater, decides they are going to do that, spend \$3,500.00 on set prep over there, they call the Clerk's Office, they say 'Connie, this is what we want to do, is this legitimate?', She's going to say yep or she's going to say no..."

**Chair Holt**

"And if she says..."

**Commissioner Morgan**

"If she says no, can't use those funds for that..."

**Chair Holt**

"That doesn't mean that. That's not what the law says. It says it must serve a public purpose." That's all it says. It doesn't say..."

**Commissioner Morgan**

"All I'm saying is, if the Clerk says and the County working together says this is not a legitimate expenditure..."

**Chair Holt**

"Now you're where I am. Right, the County..."

**Commissioner Morgan**

"Then, then the County..."

**Chair Holt**

"The County, the County says it's OK."

**Commissioner Morgan**

"Right."

**Chair Holt**

"And Finance says it's not."



**Commissioner Morgan**

"OK, so let's say this, let's say that ah, same scenario and Quincy Music Theater wanted to go out and make some crazy expense..."

**Chair Holt**

"If it's crazy I..."

**Commissioner Morgan**

"...that had nothing to do with Quincy Music Theater and Connie says 'No, you ain't gonna do that and therefore we're not going to pay on that, it's not right' and they call the County, you know, and talk with our office and they say you can't do that. Well, if they go ahead and do it, then that's their issue, not ours. If they don't, they, and if because they had that communication, they don't get put in that spot, so every time they can take this \$10,000 of their \$100,000 budget that they have and they say this is from the County, we need to make sure we send that \$10,000, if we're going to use those County dollars, we need to communicate and make sure it's OK."

**Chair Holt**

"OK."

**Commissioner Morgan**

"It's just not that hard."

**Chair Holt**

"I've got, it is, if you are putting it in the other context. If the County, County agrees, Finance Office agrees, everyone agrees that it should not be done because it does not serve a public purpose or if it's illegal, then you can't do it, but..."

**Commissioner Morgan**

"What's the problem if they..."

**Chair Holt**

"Ah, OK, listen, you can now, you can go to Senior Citizens right now and they are providing meals."

**Commissioner Morgan**

"Ah huh."

**Chair Holt**

"OK, in Quincy."

**Commissioner Morgan**

"Uh-huh."

**Chair Holt**

"You can go to Chattahoochee and they may not be providing meals and you can go to Gretna and they are not, so they go and purchase their meals."

**Commissioner Morgan**

"Um-huh."

**Chair Holt**

"OK, they go and purchase their meals and then they say, and Finance says 'I'm not going to pay for it'".

**Commissioner Morgan**

"But did they call the Clerk's..."

**Chair Holt**

"No, no, no, wait, wait, wait, listen, listen..."

**Commissioner Morgan**

"...office and the County and say 'Hey, is this, here's what we want to do, is it..."

**Chair Holt**

"I...and if they..."

**Commissioner Morgan**

"If they say yes they can do it, if they don't..."

**Commissioner Viegbesie**

"Madam Chair, call the question."

**Chair Holt**

"But that does not, but that does not make it follow the public purpose and it does not make it illegal. So you are saying one person or two people can decide on something."

**Commissioner Morgan**

"I'm saying two parties..."

**Commissioner Viegbesie**

"Madam Chair, I call the question."

**Chair Holt**

"Yes Commissioner?"

**Commissioner Viegbesie**

"I call the question on this item, Madam Chair. Let's move on."

**Commissioner Morgan**

"Have at it."

**Chair Holt**

"Well, I am going to..."

**Mr. Presnell**

“Madam Chair may I...”

**Chair Holt**

“Go ahead.”

**Mr. Presnell**

“...make a couple of comments?”

**Chair Holt**

“Go ahead.”

**Mr. Presnell**

“OK, this was not done just with sleight of hand or anything like that. We had meetings with the Clerk, I met with the Clerk myself, the attorney’s been involved. He, the Clerk is here and can speak for himself, I don’t think the Clerk wants to have people send in receipts to his office, ah, I don’t think he wants the Art Center calling his Finance Officer and asking would it be OK to buy this or that table cloth or food or whatever. He has reviewed this agreement that our attorney prepared and that’s kind of his recommendation that this would be best to proceed. It requires things that are in your policy that are required of people receiving public funds, those are the three things that are required, and again he’s right here and can speak for himself. But, I think he’s comfortable with this if we follow the policies outlined in this. Now if you want to do it quarterly, if this Board wants to distribute the funds quarterly, all you have to do is put that in the motion. The lump sum thing was because some of these are \$5,000, and you know, just isn’t...again, the Clerk is fully aware of this, he thinks it will work better, he’s had input on it, but he can speak for himself.”

**Chair Holt**

“I am in favor of a lump sum, but we can go on to anyone that has a comment.”

**Commissioner Taylor**

“May I?”

**Chair Holt**

“Commissioner Taylor...”

**Commissioner Taylor**

“Thank you. I’m ready...”

**Commissioner Hinson**

“I thought you called the question.”

**Chair Holt**

“I’m sorry...”

**Commissioner Hinson**

“You call the question, nobody else should be talking.”

**Chair Holt**

"Sure did, I'm sorry."

**Commissioner Hinson**

"That's just Roberts Rules of Order."

**Chair Holt**

"Yeah, I'm sorry. That was, that was my fault."

**Commissioner Taylor**

"May I? "

**Chair Holt**

"Commissioner Viegbesie called the question."

**Commissioner Taylor**

"I'm going to do likewise."

**Chair Holt**

"OK, you were going to do the same thing?"

**Commissioner Taylor**

"I'm going to do likewise."

**Chair Holt**

"OK, alright."

**Commissioner Taylor**

"I would like to make the motion that we do spend the money in lump sum as agreed..."

**Commissioner Hinson**

"Second."

**Commissioner Taylor**

"...ah, thank you. But I do would like to put a tail end on it that the Clerk does provide a list of non-allowable items to these people in advance."

**Commissioner Hinson**

"I don't second that."

**Commissioner Taylor**

"You don't second that?"

**Commissioner Hinson**

"Because we go against what the State says, the State Statute saying."

**Commissioner Taylor**

"Well, I just don't want it, my statement for that is I just don't want the same situation to happen again with people getting the lump sum, go out and spend the dollars and then we pull them and

ask for these dollars back because you do have that caveat in the policy. I just don't want that. They need to know that fool is not allowable. They need to know that bingo prizes are not allowable. They need to know these things so then it doesn't become a quagmire. So that's just information purpose only."

**Chair Holt**

"OK, I have a motion and waiting on a second..."

**Commissioner Hinson**

"Well, ah..."

**Chair Holt**

"Commissioner Hinson, you have a comment right quick and we'll get to ask for a second?"

**Commissioner Hinson**

"Because of ah, I think that wherever this thing's located, can you read the part where it talking about if it's, if it's, as long as it's used for public use it's somewhere in there, or that, can we say that? For the County Commissioners."

**Mr. Weiss**

"Ah, sure, and I mean I think that ah, I mean if y'all want me to read this, I feel..."

**Commissioner Hinson**

"Just..."

**Mr. Weiss**

"I don't think I want to read a bit or a piece of it, I mean I'd rather read, I mean, maybe not the whole thing, but at least start at a point where you get a little bit of context in terms of what is, what the question is and that was what I was trying to say earlier."

**Commissioner Hinson**

"Do you work for the Clerk?"

**Mr. Weiss**

"I do not work for the Clerk. I..."

**Commissioner Hinson**

"I'm just asking a question."

**Chair Holt**

"OK, Commissioners, y'all come on."

**Commissioner Hinson**

"Can you please ah, read this information here, ah, cause we can get some clarification cause the way you go at it, that's the way the world go at it. So, I just want to be fair to the constituents."

**Commissioner Taylor**

"I don't think that was a fair question..."

**Commissioner Hinson**

"No, I just..."

**Commissioner Taylor**

"...to ask the attorney."

**Chair Holt**

"Hold, hold, Commissioners, let's do this. I was trying to get a second if we could..."

**Commissioner Taylor**

"There's a motion on the floor so if it dies, then it dies."

**Chair Holt**

"So there's no second, that's what I was trying to do is get a second for discussion but I've not received the second so the motion dies for lack of a second. OK, Commissioner Hinson, I'm sorry, hold o, hold on..."

**Commissioner Hinson**

"Because it's fair to, because what we doing, reason, I wasn't trying to be come after you whatever, I was just trying to be fair to the constituents because we're going different angles and it's good for them to hear the attorney first and let him give his position on this what he know and what he read and then that way we can go forward. Because we, once the people listen to this information here, they thinking that, they don't know what to think. But as long as the law, I prefer to call the law. That just, not just how I feel but we really need to follow the law."

**Chair Holt**

"Well, what we need to know and that he gonna narrow it down a little bit, ah, for the attorney, if he looks at it, he told us two specific things. A county purpose is decided by the Commission, that's decided by the Commission, is that not true? Is that what you're saying?"

**Mr. Weiss**

"That, yes, that's true."

**Chair Holt**

"OK, now we have that part. The County decides what the purpose is, no-one else. This Board does."

**Mr. Weiss**

"Yes, the County decides in a general sense with the funding that is approved, that, that funding a human service is, serves a county purpose."

**Chair Holt**

"Yeah, OK, then the Clerk Determines whether it's illegal or not. Is that true?"

**Mr. Weiss**

"Yeah, whether it's authorized by law or..."

**Chair Holt**

"Authorized by law..."

**Mr. Weiss**

"Or otherwise illegal and whether it's..."

**Chair Holt**

"OK, that's what I'm saying. So if it's not illegal and we decide it's a public purpose, then it should be paid. Those are the only two narratives I can see there. If you need some Benadryl for the men out on the road, whether OSHA said it's in the box or not, it serves a county purpose because if someone gets stung by a bee in Greensboro there are not going to get to a doctor, may not get to a doctor in time before their tongue swells. Now, OSHA doesn't say it has to be in that box and as I said with that incident, I don't care if you tape it to it, their lives are more important than what's required in the box. OK, now, so when you look at these items, these are the only two things we are really looking at; serves a public purpose and it's not determined to be not illegal; it is not illegal. Now, if it's illegal, Clerk says I'm not going to pay that. That makes sense. OK, now, there's a motion we had by Commissioner Taylor that failed because of lack of second; Commissioner Viegbesie had his hand up Commissioner Taylor, then you will be next. Commissioner Viegbesie?"

**Commissioner Viegbesie**

"Madam Chair, I'm going to move that we table this item because it's taking entirely too long."

**Chair Holt**

"OK, there's a motion that we table this item. Do I have a second?"

**Commissioner Morgan**

"Second."

**Commissioner Hinson**

"Well, if we table it then the folks gonna need their money, right?"

**Mr. Presnell**

"Right."

**Commissioner Hinson**

"Well, you see, OK, this is my only problem here. If we believe in this right here, right, and we think this is in line with that we believe in, ah, we just pass it and then we just move forward, move on."

**Chair Holt**

"Well, well it may be able to be taken up as pay them what we owe them and move forward with this agreement after it's tabled."

**Commissioner Taylor**

"We have a motion and a second."

**Chair Holt**

"We do. But I need, he wanted some clarity and I don't know if it can be done that way, but, it's something to look at. We have a motion and a second to table this item. All in favor?"

**Commissioner Viegbesie**

"Aye."

**Commissioner Morgan**

"Aye."

**Chair Holt**

"Aye."

**Commissioner Taylor**

"No."

**Chair Holt**

"OK, we have 4 to, to- 3 to 2 to table this item. OK?"

**Commissioner Taylor**

"Before we move, let me just say this real quick."

**Chair Holt**

"Sure."

**Commissioner Taylor**

"As lot of what we said has been subjective tonight, ah, with regards to ah, ah, what's in public interest, what's in the best public interest? I can interpret that totally different than Commissioner Morgan, what's in the best interests of the public. It could be totally interpreted differently by an individual. That's why I say give specifics. Let them know what's not an allowable expense. That's why I said do that and that way you have less grounds of people making mistakes with these public dollars. So I know we are going to move this on, but it is important that we have clarity to the public so that they will understand what they can and cannot do. It is in the best interests of the Senior Citizens that they come and do Bingo because it gives them some motivating activities, it stimulates them and gives them excitement, makes their heart rate go good. That's how it's interpreted by the Director. But those are not an allowable event. So it could be interpreted different but if you give them a list, give them specifics, it kind of closes that gap. So that's the reason why I said be specific. Thank you."

**Chair Holt**

"Commissioner Taylor I think that's a great idea ah, for the next time the items brought up, maybe we can bring those..."

**Commissioner Taylor**

"That's what I just said and you wouldn't vote for it."

**Chair Holt**

"...those, these ideas to the table so that way we don't have to be rude and disrespectful to each other either. But what we can do is look at putting these things together and come back once the



item comes up. If you want to have enough time to look at this item again, I really feel like it should have a check-off list. If you have a check list that, that it does serve a public purpose, if they are going to do repairs, I think they should have a checkbox. You check repairs and we can keep moving. I don't think we need all this verbiage in here for people out there that are, don't have that background in accounting or the legal background. I think that makes it simpler for them."

**Commissioner Taylor**

"Well, let me ask this final question. How soon can we get this item back because again, we are holding people up who need these dollars. So, what is it we are tabling it for?"

**Mr. Presnell**

"I'm not sure, I mean, I, unless you want me to try to work with the Finance Department to get a list of what, if y'all want a list of non-approved items or something?"

**Commissioner Viegbesie**

"I think that would be wonderful. I think that would clarify this and then we would not be going around and around like a dog chasing our tails saying something over and over and over and over."

**Commissioner Morgan**

"And let's ask the Clerk's input while we've got him here."

**Commissioner Taylor**

"Commissioner Viegbesie, that's what, that's what the motion earlier. Let's approve them so they can get their money, but let's put a list of items that are just not acceptable. That was the motion and we had it on the floor so these people can get this money, because like we said, these are, these are, these are businesses out there that need these dollars now. But I'm willing to wait that we can come up with a list in two weeks so we can get this matter (inaudible). So thank you."

**Chair Taylor**

"Ah, Commissioner Morgan, you were saying something?"

**Commissioner Morgan**

"I was just interested, you know, since we are all here, you know, the Clerk is here, the Finance Director for the Clerk is here, ah, I don't know if Jeff is here or not, but if he's here, if there is anybody that's got input while we're talking about the subject rather than us all parting ways and then calling and say 'Hey, I can't believe we didn't do this or we didn't say this, or y'all are going down this road'. What say you, I mean, people are here, let's talk."

**Mr. Presnell**

"Well, this whole effort was to present the conversation you had tonight was our staff working together..."

**Commissioner Morgan**

"Well I hadn't heard anything from the Clerk's office."

**Chair Holt**

“Mr. Clerk do you have any comment?”

**Clerk Thomas**

“I don’t know where to start, don’t know if I want to say anything really.”

**Commissioner Morgan**

“Is there a problem? I was the one that had mentioned, you know, the fact that these organizations call your office to see if it was a legitimate expenditure that you would agree to pay out and also contact the County, you know...”

**Clerk Thomas**

“So, ah, that’s what we call basically the reimbursable route, right, and that’s not what we have really done with the non-profits.”

**Commissioner Morgan**

“I understand.”

**Clerk Thomas**

“You know, receipts were never required before we didn’t ask for them, we were presented them in this case. Of course we couldn’t ignore them and because I actually explained at the last meeting how I thought this situation was different from the others and so, what we’ve, the one thing we insist that we thought was appropriate is having an agreement so that everybody understands and it’s public dollars as you have said and that there is some accounting, proper accounting for those dollars that was our main point. There is an agreement that you understand, that is an agreement with this entity and so, that’s the main thing. The terms of financials are great. If you want to know what would really be great I thought, and I said this last meeting, was basically, and this would be some might consider this a hardship for some entities, but the audited financials, right, an audit report. Most non-profits get audited; certainly if it’s going through a municipality we’ll get their audit. Only thing that does is you have a written document that verifies that there are at least internal controls, there are no growing concerns, there are no major, you know there is at least some structure. You might think that’s too much to ask, but that’s the only other thing that I thought would, you know, and I use the state example of course every grant you get money from, every different entity you have to send them an audit report, that’s required because they can take that and just know certain things are in place and that gives a level of security and in some of these cases the entity might be so small, but if it’s using the city as a conduit, you get the audit from the City and that’s really great for those. So, you know, let me say this, since I’ve the mike, hey, I love senior citizens too, I’ve had Grandmothers, so, just wanted to say that on record. So, but the main thing is just accountability and we want to get the money out, just want it to be accountable that’s all.”

**Chair Holt**

“Let me ask you something, ah, the cities are audited so your senior citizen money could go through the City of Chattahoochee, could go through the City of Gretna...”

**Clerk Thomas**

“Yeah, that’s one way of...”

**Chair Holt**

“No, no, no, could, I was going to say something else. Why couldn’t all of them just go through the Senior Citizens in Quincy and they divvy the money out and the other organizations wouldn’t have to worry about it? Just send all three through there and they send out the \$10,000?”

**Commissioner Hinson**

“I think it’s just being complicated.”

**Chair Holt**

“I’m saying that would be an easy one. Ah, but we’ve already voted...”

**Clerk Thomas**

“Let me say one other thing just for the record and I won’t elaborate much because you’re talking about a list and this is what, ah, I’ve tried to make this point before. The State and Counties can give money, so the county has a certain way it has to spend money. They can give money to entities that have different missions, right? So, you can give money to, the State gives money to Gadsden Senior Citizens, lots of money, lots of it goes to food, but Gadsden County itself can’t spend money directly on certain things, ah, that’s one example. The food thing, I heard the food thing come up because with Senior Citizens, one of the main things is Meals on Wheels, so most of the funding for Gadsden Senior Citizens comes from the State, there’s Interlocal Agreements that has a different mission and that was the thing about having an incorporated group with certain by-laws, certain missions, certain governmental entities can give money to like Salvation Army, the Red Cross, that have different missions for counties but government entities are allowed to contribute to those organizations and that’s all I want to say.”

**Chair Holt**

“I want to ask you something. I’m glad you brought that up about the food. So if we wanted to fund meals for Seniors, we could not? There is a State Statute that says that?”

**Clerk Thomas**

“What I’m saying to you is, you can contribute to entities that have certain missions that are different from yours.”

**Chair Holt**

“OK, so then, if we, say, we have ten seniors, that we are going to provide meals for ten seniors, we can do that? It’s not illegal?”

**Mr. Presnell**

“Their budget can say meals.”

**Chair Holt**

“I know, that’s what I’m saying.”

**Mr. Presnell**

“The budget that they submit can say meals.”

**Commissioner Hinson**

“I’d like to hear the Clerk say this because, you know, he’s...”

**Clerk Thomas**

"I'm not going to go into a bunch of, I've said this before, you can contribute, you are allowed to contribute to entities that have different missions than yours. Leave it at that, you are allowed to contribute to entities that have different missions than yours. There are certain things that you can't directly spend money on. You are allowed to contribute to entities that have missions that are different from yours. That's all I'm going to say on it, leave it at that."

**Chair Holt**

"So, if we gave them the \$10,000 and they decided one of their missions was to provide food for the seniors, then they could do that because it's not illegal."

**Clerk Thomas**

"I'm not going, I've said all I'm going to say."

**Chair Holt**

"So Mr. Attorney, there's no, if there some type of statute that says we couldn't?"

**Mr. Weiss**

"I'm not aware of the statute that says anything about food in particular."

**Commissioner Hinson**

"Because how it's stated, it's interesting because the attorney, that why I said attorney, I wasn't trying to be funny to you, because what happened here as a Board member, somebody who respect you so much and respect the County Manager so much, I was, actually I had a couple of phone calls yesterday. I didn't know this, me and the Clerk going against each other and they say, I say 'What's the issue?', they say 'Man, you was supporting the senior citizens', they say, 'Man, I don't blame you, I would have done the same thing' so I had a few folks call me about the situation so I was curious why how come you, even though I wasn't here, or the County Manager, to jump into that and say something to justify that because the way they put it in the paper was totally something, completely different than what was said, you know, because I try to be fair to everybody, even because before he say (inaudible), he said, if I'm not mistaken, if I heard something wrong, he said first you can't put money on food. So, before, then, I'm talking about less than about three minutes ago, and then he changes whole position there, so I don't have any problems with that office over there, I never said anything (inaudible) I just want to make sure that when we talk about things, we should be respectful and give somebody the benefit of the doubt. I never treat anybody wrong, whatever, so, so, with the fool situation, he said he couldn't do it. Now he said you can do it..."

**Clerk Thomas**

"No, I..."

**Chair Holt**

"Hold on, hold on, Commissioner, Mr. Clerk, go ahead..."

**Clerk Thomas**

"I said that you are allowed to contribute, look, you are allowed to contribute to organizations that have missions that are different from yours. That's a simple statement. I didn't say you can spend money on everything, I said you can contribute to organizations that have different, and

you have done that with Red Cross and with Senior Citizens and stuff...”

**Commissioner Hinson**

“If I misquoted you, I apologize if I misquoted you.”

**Clerk Thomas**

“But, if you are going to, there are certain things that counties are not allowed to spend money directly on, OK? It’s just that simple.”

**Chair Holt**

“And we need to see that law, you’re the attorney. So we just need the attorney to bring that information back to us, that’s all.”

**Commissioner Hinson**

“And Mr. Clerk, I apologize. Anytime dealing with kids or dealing with Senior Citizens, that’s the only time I get emotional on the Board, like twice a year. So when you talking about Senior Citizens, students and kids, I get compassionate about those issues there and that’s the only time. But we just need to make sure that we careful about which word to use because...”

**Commissioner Taylor**

“Am I hearing correctly that the Clerk is not going to provide a list?”

**Clerk Thomas**

“We can, I can provide, we can provide you a list, but the one thing that’s not going, I’m not going to, and it’s just this one example that I’m using, and that’s food to Senior Citizens. We’re not going to say that senior citizens can’t fulfil that mission. What we’re saying is Gadsden County can’t directly pay for food unless it meets the criteria that we laid put already.”

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

**Clerk Thomas**

“OK? That’s all I’m saying and that one example as it relates to food for senior citizens, the State of Florida contributes money to that organization, Gadsden County contributes what, \$150,000 or something to Senior Citizens, Gadsden Senior Citizens and the big part of what they do, of course, is Meals on Wheels. A lot of that is funded through the State of Florida, so Government can contribute to certain functions that organizations have, certain missions, but Gadsden County itself, we’re not going out paying for a whole bunch of food unless it meets the criteria that we laid out, it was laid out in State Statute and then you furthered that as an Ordinance that specified under what terms and conditions (inaudible) for an emergency. So that’s one example I’m using because that sounds like in some ways like a contradiction when you know that the State of Florida Contributes money specifically for that purpose.”

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

**Chair Holt**

“I am glad you said that because what you, and I told the attorney he may as well start looking for that one. But, and it makes sense. If you are saying that that’s one item that cannot be purchased, then he needs to have a law that says that. He needs it.”

**Clerk Thomas**

"What's that?"

**Chair Holt**

"But what I'm saying is that, that's why, and what Commissioner Taylor, like I told earlier, it makes sense because these citizens need to know what they, what these items are. If you can get a list as she said earlier, get a list of some things to us, then we'll know. Because we don't know and they don't know, and when you said paying for food directly by the County, I did not know that and I'm sure a lot of people did not know that. If it can't be done there should be a State law to back it up somewhere."

**Clerk Thomas**

"There's a law, there's a Florida State Expenditure Guideline..."

**Chair Holt**

"OK, well..."

**Clerk Thomas**

"...that basically says that unless there is a state of emergency, but it is the County's right to pass laws and we had this going back to the Christmas parties some years ago when we denied that expenditure, the County passed the law, an Ordinance that gave specific conditions when the public purpose was declared in which that expenditure could be appropriate and that's what you did last Board meeting when you approved those food expenditures directly that the County paid for. OK, you used that Ordinance to do that."

**Chair Holt**

"Yeah, we have done some, we paved the road in a tomato field so I'm sure there are a lot of things that we've done that didn't make any sense and thank God I missed that one. I wasn't quite in the door yet. But I want the attorney to make sure that when you get that list of things or that information, be able to get to us, he can go and verify because it's his job to protect us. It's just like we don't go down there telling the Sheriff what to do, we don't come up with telling you what to do, the Property Appraiser, any of those or then we have to make sure that's what we hired him for. And if you say it's a, he has to verify and say. It's not anything against you, but it is something that we need to know. If it's something that they can't have Bingo prizes, but they can have other things, then we need to know that also, and it may not be the Bingo prize, it may be something else. Maybe they can purchase something else or whatever and how, the use of it. Mr., Commissioner Hinson, we're going to move on because we already settled to table this item."

**Commissioner Hinson**

"Yes, real quick, ah, if I'm not mistaken what the Clerk said, what he was saying that the County created an Ordinance that stopped that so if the County created those ordinance, we need to find what the ordinance, because that's something that we..."

**Clerk Thomas**

"That's not what I was saying."

**Chair Holt**

“He said we already had something.”

**Clerk Thomas**

“No I...”

**Commissioner Hinson**

“You said we had an ordinance in place...”

**Clerk Thomas**

“...an Ordinance, I think it’s 2005-006.”

**Commissioner Hinson**

“We had an ordinance...”

**Chair Holt**

“2005-006.”

**Mr. Presnell**

“That allowed you to declare a public purpose for expenditures such as you did at the last meeting or when we have refreshments for new commissioners being elected. You declare a public purpose statement and certain things are allowable then to a certain...”

**Commissioner Hinson**

“Well I didn’t want to get into that...”

**Chair Holt**

“OK, well, we can look at that cause you already tabled it. Let’s move on to the next item.”

**15. Appointment of Commissioner and Alternate to the Canvassing Board**

Mr. Presnell introduced the above item and said it was for approval to appoint a Commissioner and alternate to the County Canvassing Board.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSISONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPOINT CHAIR HOLT AND COMMISSIONER VIEGBESIE AS ALTERNATE TO THE CANVASSING BOARD.**

**16. Memorandum of Agreement to Support the Continuation of the Rural Areas of Opportunity**

Mr. Presnell introduced the above item and said it was a Memorandum of Agreement to support the continuation of the Rural Areas of Opportunity pursuant to Section 288.0656(7), F.S.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

Mr. Weiss mentioned the need to designate people for specific positions. Mr. Presnell said the Growth Management Director had been the one designated to attend the meetings in the past. Commissioner Viegbesie pointed out it needed to be a County elected or appointed official and a specific person from a non-profit organization actively engaged in economic development within the County. Mr. Presnell stated Beth Kirkland had served as the other appointee.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO RETAIN ALLARA GUTCHER AND BETH KIRKLAND.**

**17. 2015 Paving Project-Additive Change Order #2**

Mr. Presnell introduced the above item and said it was for Board approval of Change Order number 2 to the paving contract in the amount of \$40,224.25 to C.W. Roberts Contracting, Inc. to add the paving of Bell Street and Washington Avenue to the original contract in District 1.

Commissioner Viegbesie asked when the next set of roads was due for submission to be RFP'd. Mr. Presnell said they were waiting on recommendations from the districts.

Commissioner Viegbesie said with this he was leaning in the position of Commissioner Taylor with continuous change orders and there were also roads in his district he would like to have done expeditiously and asked if Commissioner Hinson could wait until the list was complete instead of adding and doing change orders for this.

Commissioner Hinson said for the record he did ask for the roads to be added and from what he gathered "they" (engineer) thought the roads were somewhere else.

Chair Holt asked if the contractor was still in the area and Mr. Presnell stated at the time this came up they were, but since that time they had moved on. He added they would be going over the county the next eighteen months.

Commissioner Morgan said the change order indicated an additional \$40,000 and asked if it would cost the County more money and Mr. Presnell explained it would come out of Commissioner Hinson's share of the paving money and was at the same rate per ton.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER TAYLOR OPPOSED.**

**18. Amendment to the Procurement Policy to provide an exemption from the requirements of the Policy for the utilization of contracts of other public entities on the same terms and conditions if the contract was awarded pursuant to procedures similar to those required under the Procurement Policy**

Mr. Presnell introduced the above item and said it was for approval of an amendment to the Gadsden County BOCC Procurement Policy to provide an exemption from the requirements of the Policy for the utilization of contracts of other public entities on the same terms and conditions of the contract was awarded pursuant to procedures similar to those required under the policy.

Commissioner Viegbesie asked about Section 2.3.3, the underlined part and Mr. Weiss explained that part was not changed and thought the underlined part was not taken off.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER HINSON OPPOSED.**

**19. Approval to Purchase Six Dump Trucks**

Mr. Presnell introduced the above item and said it was for approval for the purchase of six dump



trucks piggybacking on the City of Tallahassee's bid.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**19a Agreement with the Management Experts, LLC to Review and Update the Gadsden County Local Mitigation Strategy**

Mr. Presnell introduced the above item and said it was for consideration of an agreement between the Gadsden County BOCC and The Management Experts, LLC in the amount of \$6,750.00 to review and update the Gadsden County Local Mitigation Strategy and the service would be provided under the Federal Emergency Management Performance Grant program.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE FOR APPROVAL.**

**COUNTY ADMINISTRATOR**

**20. Update on Various Board Requests**

Mr. Presnell said a local grower was chosen to be one of the growers for medical marijuana and will be working with them to get construction done and they were on a tight schedule.

He reminded everyone the Hospital workshop would be this Thursday at the Bill McGill Library at 6:00 p.m. and there would be a workshop before the next meeting here at 4:30 on December 19<sup>th</sup>.

He then mentioned there was an emergency with the lift station between the hospital and the Senior citizens and requested this be addressed as an emergency because it had to be pumped out daily. He added he had obtained prices because it was over \$5,000 and required a bid according to their policy and the lowest price so far was \$16,624.97 to replace the pumps and was waiting on one more quote. Mr. Weiss pointed out in their Procurement Policy there was an exception for emergency purchases as long as the monies did not come from General Revenue. Mr. Presnell stated the money would come from Building Maintenance fund and no money would need to be transferred. Mr. Weiss stated they needed to make a motion to add the item as an emergency.

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE TO ADD THIS ITEM TO THE AGENDA AS ITEM 19B, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE REPLACEMENT OF THE LIFT STATION BASED ON LOW QUOTE RECEIVED.**

Mr. Presnell stated his last item was the Gretna racing appeal was to be heard by the Supreme Court and was a "one-shot deal" and would exhaust the legal remedies.

Mr. Weiss said if it were the will of the Board for him to be involved, the best way to do that would be to approve the submittal of an amicus brief in support of Gretna Racing's position and felt the best way was to approve submittal of the brief and to attempt to get other counties who

had passed referendums to join in on the brief and have one voice to defend the home rule authority.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY CHAIR HOLT, THE BOARD VOTED 4-1 FOR APPROVAL OF THE FILING OF THE AMICUS BRIEF AND TO CONTACT OTHER COUNTIES THAT HAD PASSED THE REFERENDUM. COMMISSIONER TAYLOR OPPOSED.**

**COUNTY ATTORNEY**

**21. Update on Various Legal Issues**

Mr. Weiss said he had nothing to report but was available for questions and there were none.

**DISCUSSION ITEMS BY COMMISSIONERS**

**22. Report and Discussion of Public Issues**

**Commissioner Anthony Viegbesie**

Commissioner Viegbesie said as they went into the new year with new leadership, he asked that they work as a team together and respect one another. He also thanked staff for making the Board look good.

**Commissioner Gene Morgan**

Commissioner Morgan said he had nothing to report.

**Commissioner Sherrie Taylor**

Commissioner Taylor said the reason she voted against the casino was because she had a gut feeling that when they have gone through so much, she was scared to bring gambling into her hometown. She said there was no issue with the concept but was afraid this might turn out to not be what they wanted the in long run.

*Commissioner Taylor left the meeting at this juncture.*

**Commissioner Eric Hinson**

Commissioner Hinson said he had an opportunity to spend time with the Boys and Girls Club and was touching because he was tutoring the kids in math at the Havana Magnet School.

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

He said that he felt they needed to continue doing the great things that the Commission was doing with the great services in their community and noticed they were inside a Church and no longer in a school. He felt it would be great to come from the Board to send a letter to the Superintendent and the Chairman of the school board to ask if they could utilize their facility for the benefit of the Boys and Girls Club.

Commissioner Morgan asked if they should approach Mr. Wagner first before they sent a letter to make sure he was in the loop since he was the executive director.

Commissioner Hinson said they could make the motion if the School Board approved it and Mr.

Wagner did not want it, it was on him but they had done what they could as a county for the situation. Chair Holt said if he requested it and Mr. Wagner did not want it, he could say so. Commissioner Morgan said that might put Mr. Wagner in a bad spot if for some reason he had a legitimate reason for not wanting this. Commissioner Hinson said he had spoken with him a couple of months ago regarding the same situation.

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

**UPON MOTION BY COMMISSIONER HINSON AND SECOND BY CHAIR HOLT, THE BOARD VOTED 4-0 TO APPROVE TO WRITE A LETTER TO THE SUPERINTENDENT AND THE SCHOOL BOARD CHAIRMAN AND A COPY TO MR WAGNER TO ASK IF THEY COULD UTILIZE HAVANA MAGNET SCHOOL FOR THE BOYS AND GIRLS CLUB.**

Commissioner Hinson said he would like to propose a motion to abolish the adopted policy that relates to the traffic calming devices and Mr. Weiss said it would have to be placed on the agenda.

**Commissioner Brenda Holt**

Chair Holt thanked everyone for their support for the Gretna Racing and felt they needed to make a good showing at the Supreme Court to let them know they were supporting the County.

**Receipt and File**

**23.**

- a. Truth in Millage (TRIM) Certification Letter
- b. BY2015 Administrative Budget Amendments

**UPCOMING MEETINGS**

- 24. December 3, 2015-BOCC/GHI Joint Workshop-6:00 p.m.  
December 15, 2015-Succession Workshop-4:30 p.m.  
December 15, 2015-Regular Meeting**

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 9:09 P.M.**

**GADSDEN COUNTY, FLORIDA**

---

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

**ATTEST:**

---

**NICHOLAS THOMAS**

**AT A WORKSHOP OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON DECEMBER 15, 2015 AT 4:30  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
Sherrie Taylor, District 5-absent  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE**

Chair Holt called the workshop to order at 4:33, asked everyone to stand for a moment of silence and then led in the Pledge of Allegiance to the U.S. Flag. A silent roll call was conducted by Marcella Blocker, Deputy Clerk.

**GENERAL BUSINESS**

**1. Planning and Preparing for a County Administrator Transition**

(Vincent S. Long, Leon County Administrator)

Mr. Presnell said they had reached out to Florida Association of Counties to get some expertise in Succession Planning for the County Administrator and their recommendation was Vincent Long, the Leon County Administrator and President of Florida Association of County Managers. Mr. Long appeared before the Board.

Mr. Long said this was an important decision and process they were about to embark on and congratulated them on starting the process so early.

He said that with the Florida Association of County Managers group, their mission was to promote excellence in County Government and at the request of counties over the past few years, they had been asked to provide assistance to Commissions in their selection process.

He mentioned that the Florida Association of County Managers Association was not the only resource available to them.

He said with recent recruitments they had assisted with, some things he suggested to keep in mind:

1. **It was competitive out there.** In saying that, he said the profession was evolving very quickly, there were 10,000 baby boomers daily going into retirement and public sector was on the leading edge of that and there was not enough young talent in the pipe line to replace City Managers and County Administrators at the rate at which they were retiring. He said succession was something to consider. It was a distinct luxury some Commissions didn't have because during tough economic times, some counties did not back-fill the

positions when people retired from the Deputy or assistants position. He also mentioned that non-traditional candidates should be considered.

2. **Process matters.** He pointed out the process they engaged in would help determine the quality of the candidates.
3. **Don't go it alone.** He said they may want to consider hiring a headhunter and was a decision that all Commissions had to make. He said they could design and put together a very elaborate process and test candidates.

He also mentioned that before they could agree on one thing, they had to agree on three: Position, Person, Process.

**Position**-He said with the position, it was critically important and they as a Board should come to some agreement early in their process about the role and responsibilities that the County Manager should have, not what they are. He added that would have a greater impact than the size of the County or the salary and develop a collective understanding of the position. He suggested before starting the process, the Board come to some type of agreement with developing the job description; setting timeline; deciding who conducts search and planning tasks after the application window closes

**Process**-He said they would need to give themselves time to make decisions along the way and some elements of the process; they would want to consider is the development of the job description and perhaps a workshop early on. He said he also understood there was an election coming up next November and said it would be a little of an balancing act and suggested they not get too far ahead before the new Board, if there were one, was seated. He explained some of the services that FACM could provide if the Board chose to go that route.

**Person**-Important attributes to keep in consideration was the understanding of the job and said there was no substitute for practical skills and experience that match the job description. He hit on Florida county government experience and said it was important and understanding the nuances and relationships on a technical side with budgeting and administration, but also working with judicial officers and constitutional officers. He also talked about "cultural fit" and said it was really important to get someone that aligns with it and hiring someone that capability of leading the cultural change in the organization if need be.

## **2. Questions and Comments**

Chair Holt asked the commissioners if there were any questions or comments.

Commissioner Viegbesie said Mr. Long covered a lot of the items he had and the Board needed to come to an understanding of where they wanted to take the County and then could begin succession planning. He stressed that they needed to involve the current Administrator in the process to make the transition as smooth as possible.

Commissioner Morgan thanked Mr. Long and his team for coming over and talking with the Commissioners regarding this matter. He said this would be one of the most important decisions they would be making for the County and they needed to be honest among themselves with their expectations of the type of person they were looking for.

Chair Holt asked Mr. Long if he felt it better to make the decision before or after the election.

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

Mr. Long said the process could be put in place and stop short in November, have the “bones” in place and could allow new commissioners, if any, to put their input in.

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

Chair Holt thanked everyone for coming.

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE WORKSHOP ADJOURNED AT 5:20 P.M.**

**GADSDEN COUNTY, FLORIDA**

---

**BRENDA A. HOLT, 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 15, 2015 AT 6:00  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ**

**Present:** Brenda A. Holt, Chair, District 4  
Eric Hinson, Vice Chair, District 1  
Dr. Anthony "Dr. V" Viegbesie, District 2  
Gene Morgan, District 3  
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**

Chair Holt called the meeting to order at 6:00 p.m., asked everyone to stand for a moment of silence and then led in 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**

Mr. Presnell said he would like to add Item 10a-Request from Jones Community Health Center to Lease the Chattahoochee Health Department and Dental Equipment; pull Item 1 under Awards and Presentations and add a quick introduction of the new Veterans' Service Officer under Presentations.

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 3-0 BY VOICE VOTE TO APPROVE THE AGENDA AS AMENDED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

~~1. Proclamation Honoring Reverend William and Jeanette Hinson 50<sup>th</sup> Wedding Anniversary~~  
~~Item Pulled~~

**1a Introduction of New Veteran Services Officer**

Mr. Presnell introduced Michael Jackson as the new Veterans Service Officer for the County.

**CLERK OF COURTS**

Mr. Thomas was present and had no report for the Board.

**CONSENT**

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY CHAIR HOLT, THE BOARD VOTED 3-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA.**

**2. Ratification to Pay County Bills**

**3. Approval of Minutes**

- a. November 12, 2015-Special Meeting
- b. November 17, 2015-Regular Meeting



**ITEMS PULLED FOR DISCUSSION**

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

**Ben Chandler, Post Office Box 324, Chattahoochee, FL, with Chattahoochee Main Street** appeared before the Board. He said they had partnered with the Gadsden County Development Council, Quincy Mainstreet and the Chamber of Commerce and were putting together ‘Galvanizing Gadsden’ a business resource symposium. He said it would be held January 14<sup>th</sup> and 15<sup>th</sup> at the Arsenal in Chattahoochee and was to help put local business owners in touch with resources needed to help them.

**PUBLIC HEARINGS**

**4. PUBLIC HEARING:TEFRA Public Hearing to Consider a Future Bond Issue for Quincy Senior Living, LLC Affordable Senior Living Facility**

Mr. Presnell introduced the above item and explained it was for consideration of approval of the Inducement Resolution by Quincy Senior Living, LLC for tax exempt bonds and the County was not liable or responsible for pay-off of the bond.

**Nevin Zimmerman, 221 McKenzie Avenue, Panama City** appeared before the Board and explained the item. He said it was to consist of 65 housing residential units and would provide affordable housing for seniors and families. They supplied an artist rendering of the proposed site.

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

Mr. Zimmerman explained the county was not responsible for the bond, was for a short-term (during construction only) and would be paid off with a bank loan secured by USDA Rural Development loan guarantee after the construction was complete.

Chair Holt asked if there were any comments from the Commissioners and there was none.

Mr. Weiss explained the statute provided that the bonds not been deemed to be pledged except as to applied for and that was spelled out in Section 9 of the Resolution.

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

Commissioner Viegbesie asked what happened if the bond defaulted and who would become liable. Mr. Weiss explained the bond was to be considered at a subsequent hearing.

Mr. Zimmerman said the County was not responsible and the responsible party would be Quincy Senior Living LLC. and explained that process.

Commissioner Hinson asked Mr. Presnell if he had any heartburn and Mr. Presnell said no, that he had worked closely with the group and all would be vetted before it came back to the Commissioners.

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

Mr. Weiss said under Option One, he felt they needed to expand on that to add in addition authorization for the Chair to sign the Resolution and the State of Florida Letter of Intent to issue the bonds.

Commissioner Viegbesie asked the occupancy of the facility and if it were open to everyone or only citizens of Gadsden County. Mr. Zimmerman said it was for persons 65 years of age or older and open to whom qualified per the Federal Fair Housing.

Commissioner Viegbesie asked if they were affiliated with an organization with one that was operating in Leesburg and Mr. Zimmerman said he was not aware of any connection.

**UPON MOTION BY COMMISSIONER VIEGBESIE FOR APPROVAL OF OPTION 1 AND AUTHORIZE THE CHAIR TO SIGN THE LETTER, COMMISSIONER MORGAN MADE THE SECOND WITH A QUESTION.**

Commissioner Morgan asked if they were only supporting the issuance of the bonds and was not responsible and Chair Holt said that was correct.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**5. PUBLIC HEARING: Transmittal of the Amendment of the Recreation and Open Space Element of the Comprehensive Plan to the Department of Economic Opportunity for Review**

Mr. Presnell introduced the above item and said it was a public hearing and was part of the process for the amendment of the Recreation and Open Space Element of the Gadsden County Comprehensive Plan.

Chair announced public hearing and asked if any comments from audience and there was none.

Chair Holt asked if any of the Commissioners had any comments and there were none.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE FOR THE APPROVAL OF OPTION ONE.**

**6. PUBLIC HEARING: (Legislative) Transmittal of the Amendment of the Capital Improvements Element of the Comprehensive Plan to the Florida DEO for Review**

Mr. Presnell introduced the above item and said it was part of the process for the amendment of the Capital Improvements Element of the Gadsden County Comprehensive Plan and the hearing was to transmit the proposed amendment to the Department of Economic Opportunity for review.

Chair Holt asked if there were any comments from the public and there were none.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**7. PUBLIC HEARING (Legislative) Adoption of Ordinance 2015-016 for the Amendment of the**

**Comprehensive Plan Future Land Use Map from Industrial to Urban Service Area on a Parcel of Land Approximately 13.912 Acres Along Strong Road**

Mr. Presnell introduced the above item and said it was for consideration of an ordinance to amend the Comprehensive Plan Future Land Use Map for approximately 13.912 acres of land along Strong Road from Industrial to Urban Service Area and said it was affiliated with the Quincy Senior Living project.

Chair Holt asked if there were any comments from the audience and there was none.

Commissioner Hinson asked how close this was to the nearest business and was told it was on the corner by the school and the next business was the dialysis center and the apartments.

Commissioner Morgan asked if they approved the item if they should put pending approval of the issuance of the bonds or if it mattered. He added that he approved this but may not want to approve it if this didn't go through for a different project.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER MORGAN OPPOSED.**

- 8. PUBLIC HEARING: Adoption of Resolution No. 2015-025 a Resolution of the BOCCGC approving the operation of the Osceola County Housing Finance Authority in Gadsden County for the purpose of issuing its multifamily housing revenue bonds (Hallmark project) to provide funds to finance the acquisition, rehabilitation and equipping of multifamily residential rental projects in multiple locations within the State of Florida, including a multifamily residential rental project named Greenwood Terrace located in Quincy, Gadsden County; approving the issuance by the Osceola County Housing Finance Authority of its not to exceed \$44,000,000 multifamily housing revenue bonds (Hallmark project) Series [to be designated] of which approximately \$1,371,000 will be for the benefit of Hallmark Greenwood Terrace, LLC, a Florida limited liability company to provide funds to finance the acquisition, rehabilitation and equipping of Greenwood Terrace, a multifamily residential rental project located in Gadsden County, FL; and providing an effective date.**

Mr. Presnell introduced the above item and said it was for adoption of a resolution approving the operation of the Osceola County Housing Finance Authority in Gadsden County for the purpose of issuing its multifamily housing revenue bonds to finance the acquisition, rehabilitation and equipping of multifamily residential rental projects in multiple locations in Florida, including the Greenwood Terrace project in Quincy.

**Mitchell Owens, Managing Director for RBC Capital Markets, LLC.,** appeared before the Board and explained there was no liability to the County.

Mr. Weiss explained the County was not issuing the bonds but was required by statute to give Osceola County Housing Finance Authority the authority to issue the bond because the project was located within the County.

Chair Holt announced this was a public hearing and asked if there were any comments from audience and there was none.

**UPON MOTION BY COMMISSIONER MORGAN FOR OPTION ONE AND SECOND WAS MADE BY COMMISSIONER TAYLOR. BEFORE A VOTE WAS TAKEN, COMMISSIONER VIEGBESIE HAD QUESTIONS.**

Commissioner Viegbesie asked if there were any affiliation with the operator of the Plantation in the retirement community of Leesburg and Mr. Owens stated not to his knowledge and said there were three facilities that were on this project in Lake County and none went by the name of The Plantation.

Commissioner Hinson asked Mr. Owens if he was an attorney and he responded he was before the Board as an underwriter, not as an attorney. Commissioner Hinson said when he answered “not to my knowledge” he could said later he wasn’t aware at the time and was not sure if that was a good enough answer for Commissioner Viegbesie.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**9. PUBLIC HEARING: (First) CDBG Grant**

Mr. Presnell said this was the last public hearing of the night and said for this CDBG grant, they needed to temporarily adjourn the meeting, take public comments and if they so choose, direct staff after the meeting was re-adjourned to proceed with whatever application comes from the process.

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

**UPON MOTION BY COMMISSIONER VIEGBESIE AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO TEMPORARILY ADJOURN THE MEETING.**

Chair Holt explained they temporarily adjourned the meeting for a public meeting with no input from the Commission.

Mr. Presnell opened the public hearing at 6:45 p.m. and explained this was a public hearing and the purpose was the Small Cities Community Development Block Grant program and it required the applicant to hold two public hearings and this was the first of the two public hearings to obtain citizens comments. He said the County was eligible to apply for \$750,000 in neighborhood revitalization, commercial revitalization and housing rehabilitation categories and up to \$1.5 Million in economic development category. He said construction activities funded through the CDBG Program had to meet one of the following National Objectives:

1. Provide benefit to low and moderate income persons;
2. Prevent or eliminate slum and blight conditions; or
3. Meet a need of recent origin having particular urgency.

*Commissioner Morgan returned at this juncture.*

He said there was a Community Action Task Force that was appointed as part of the requirements of the CDBG and they recommended applying for a housing grant in the amount of \$750,000.

Mr. Presnell asked if there were any public comments and there was none. Mr. Presnell closed the public hearing at 6:46 p.m. and the BOCC meeting was re-opened.

**UPON MOTION BY COMMISSIONER MORGAN TO PROCEED WITH THE APPLICATION SUBMISSION FOR HOUSING AND WAS SECONDED BY COMMISSIONER HINSON, THE BOARD VOTED 3-0 TO APPROVE. COMMISSIONER TAYLOR AND COMMISSIONER VIEGBESIE WAS NOT PRESENT.**

**GENERAL BUSINESS**

**10. Agreement between the Florida Division of State Lands and the GCBOCC**

Mr. Presnell introduced the above item and said it was to request the execution of a sublease between the Florida Division of State Lands and the Gadsden County BOCC to lease 13 acres of the adjacent property east of Hopkins Landing Road at the Pat Thomas Park.

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

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

**10a Request from Jones Community Health Center to Lease the Chattahoochee Health Clinic and Dental Equipment**

Mr. Presnell introduced the above item and said it was for Board direction and/or approval of a request made by Oretha Jones, d/b/a Jones Community Health Center to lease the Chattahoochee Health Clinic and dental equipment at 680 Maple Street in Chattahoochee, FL.

Commissioner Morgan said he hoped the Board would support this item.

**A MOTION WAS MADE BY COMMISSIONER MORGAN TO APPROVE AND A SECOND WAS MADE BY COMMISSIONER HINSON. BEFORE THE VOTE WAS TAKEN, COMMISSIONER VIEGBESIE HAD QUESTIONS.**

Commissioner Viegbesie asked how long the facility been vacant and if the availability of the facility had been made public for anyone else that would like to have access to the facility. Mr. Presnell said it had been vacant approximately four years and Commissioner Morgan said there was a primary care physician there for a few years and left. He further explained the seniors had been there continuously for a few years and the City of Chattahoochee had maintained the grounds and minor repairs needed.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**11. Approval to Dispose of Surplus Property and Equipment from the Gadsden County Health Department**

Mr. Presnell introduced above item and said it was for approval to dispose of surplus property and equipment that was obsolete, damages and had no useful value and for permission to remove the items from the physical inventory.

**COMMISSIONER VIEGBESIE MADE A MOTION FOR APPROVAL AND COMMISSIONER MORGAN MADE THE SECOND. CHAIR HOLT HAD QUESTIONS.**

Chair Holt asked if there were any items the public might be interested in and Mr. Presnell said it was old medical items that they should have gotten rid of a long time ago and had to be disposed of in an auction or sealed bids or something of the sort.

*Commissioner Taylor returned at this juncture.*

Commissioner Hinson asked if everything had been tagged and labeled and Mr. Presnell said yes. He asked if someone could fix any of the old computers

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

**12. Approval and Acceptance of the Temporary Construction Easement from the City of Quincy for the construction of a sidewalk on Atlanta Street pursuant to a FDOT LAP project and instruction for the Clerk to record the Easement**

Mr. Presnell introduced the above item and said it was for approval and acceptance of the Temporary Constriction Easement from the City of Quincy for the construction of a sidewalk on Atlanta Street and instruction for the Clerk to record the Easement along with a copy of the minutes showing approval and acceptance.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**13. Approval to Accept the FY 2015 4<sup>th</sup> Quarter Report**

Mr. Presnell introduced the above item and said it was for acceptance of the 4<sup>th</sup> Quarter Report for FY 2015.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**14. Approval of Non Profit/Human Services Funding Agreement for Gadsden Senior Services for FY2015/2016**

Mr. Presnell introduced the above item and said it was for Non-Profit funding for the Gadsden Senior Services for 2015/2016 year and authorize the Chair to sign the agreement.

**COMMISSIONER VIEGBESIE MADE A MOTION FOR APPROVAL AND COMMISSIONER MORGAN MADE A SECOND. BEFORE THE VOTE WAS TAKEN, COMMISSIONER HINSON HAD QUESTIONS.**

Commissioner Hinson stated he had a problem with this item because they had budgeted to give Havana their money and at the last meeting, they “threw Havana in the pot that they cannot receive their funding so what’s the difference in Havana and the City of Quincy?”

Mr. Presnell explained Gadsden Senior Services was in a different part of their budget and had not been lumped with Non-Profits because they were big enough to have their financials and audits done and historically had not been lumped with the Non-Profit funding. He further explained that

Chattahoochee, Gretna and Havana were funded in that category.

Mr. Weiss explained the funding was approved in the budget by the board and the issue now was with respect to the agreement and whether the agreements had to be approved in order to disburse funds.

Chair Holt pointed out there was no agreement with Havana when it was approved and approved by the Clerks' Office and Commissioner Hinson had a point and the agreement was written later.

Commissioner Viegbesie said if he was hearing correctly, Havana's budget was approved and if the Clerk had no issue with disbursement of the money, why has the money not been disbursed to Havana?

Commissioner Morgan said the agenda item he was looking at was for Quincy and them approving authorization of quarterly payments based on them providing quarterly financial reports and there was a motion and second currently before them.

**CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.**

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

**15. Interlocal Agreement for Planning Services with the City of Midway**

Mr. Presnell introduced the above item and said it was an Interlocal Agreement between BOCC and City of Midway for planning services.

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

**16. Approval of Re-Appointment/Appointments to the Apalachee Regional Planning Council**

Mr. Presnell introduced the above item and said it was for approval of appointments or re-appointments to the Apalachee Regional Planning Council.

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

inson option 1/V 4-0

**COUNTY ADMINISTRATOR**

**17. Update on Various Board Requests**

Mr. Presnell said the Annual Report was done and would be posted on the website.

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

He said they won the window decoration contest that Quincy Main Street had for most creative.

He then wished everyone a Merry Christmas.

Commissioner Morgan asked Mr. Presnell the status for video services and Mr. Presnell said it had been bid out.

Mr. Presnell then introduced Ulysses Jenkins as the new Special Projects coordinator.

#### **COUNTY ATTORNEY**

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

Mr. Weiss wished everyone happy holidays and said he had nothing to report but was available for questions.

Commissioner Hinson said some apartments at Havana Heights burned some time ago and was making the whole community look bad and said something needed to be done.

Mr. Weiss said he had written a couple of letters and had received a response back and also have tried to set up meetings to no avail.

Chair Holt asked if there was a safety factor for the community, what could be done next.

Mr. Weiss said HUD could be notified of the condition of the property, but the downside was if the tenants lost the federal assistance and the property was no longer a HUD property where they were getting Federal assistance, there was a risk of them being displaced.

Chair Holt said the tenants could apply for individual housing.

Commissioner Hinson suggested they could bring in Code Enforcement to look at the burnt building.

Mr. Collins said one of the apartments caught fire during the summer and permits had been issued and it was being worked on. He further explained no-one was living in the one building and it had to be brought up to code.

Commissioner Taylor said the idea about Section 8 and getting approval for housing takes almost two-three years and there was a long list of ones on the list. She said they had been dealing with this almost four years and in that time a HUD grant could have been gotten and built a complex. She further stated if funding was pulled, it could cause a back-lash and felt they should get a grant and give them competition.

Commissioner Taylor then said she had to leave early to get to work and asked to speak and said she had nothing to report. She then left the meeting.

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

##### **19. Report and Discussion of Public Issues**

###### **Commissioner Anthony “Dr. V” Viegbesie, Ph.D, District 2**

Commissioner Viegbesie said he had nothing to report and wished everyone a Merry Christmas.



**Commissioner Gene Morgan, District 3**

Commissioner Morgan wished everyone a Merry Christmas and a Happy New Year.

He said Dr. Emko had announced his retirement and asked for a Proclamation at the appropriate time and to recognize his efforts and input in the County.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE A PROCLAMATION FOR DR. EMKO.**

He also asked for input and said there was a facility in the County that was jewel and mentioned the Arsenal at Florida State Hospital and said the building had been renovated and they were looking to put in a museum and hoped the Board would consider providing funding at the appropriate time and added it was full of history and felt it would benefit the citizens of the County and would appreciate thoughts back from Board if the Board was so desired to do.

Chair Holt said she was in favor of this and asked that he include other museums in county because there were others in the works as well.

**UPON MOTION BY COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO CONSIDER FUNDING FOR MUSEUMS IN THE COUNTY.**

**Commissioner Sherrie Taylor, District 5**

**Commissioner Eric Hinson, Vice-Chair, District 1**

Commissioner Hinson thanked the Board and staff for a great job done during 2015 and wished everyone a Merry Christmas and Happy New Year.

He felt it would be great that they clear up what was going on with the Havana Senior Citizens and wanted to make a motion to fund Havana fully with a lump sum amount.

**COMMISSIONER HINSON MADE A MOTION TO FUND THE HAVANA SENIOR CITIZENS WITH THE LUMP SUM AMOUNT AND SECOND WAS MADE BY COMMISSIONER VIEGBESIE. CHAIR HOLT HAD COMMENTS BEFORE THE VOTE WAS TAKEN.**

Chair Holt asked the attorney if there was a need to agenda this item because it had been voted on to give them the funds.

Mr. Weiss said in terms of the distribution of funds that had not been established. The budget had been approved for distribution of \$10,000 and whether it was distributed quarterly or a lump sum amount had not determined and asked the Administrator when the agreements would be back on agenda and Mr. Presnell said it would be at the next meeting and there were options there.

Commissioner Morgan said they could not approve that because it was not on the agenda and it needed to go on the next agenda.

Commissioner Hinson said the Board could do what they wanted to do.

Chair Holt said the attorney needed to look at that.

Mr. Weiss said procedurally the Board has already authorized this and no reason to vote on this again and was now a matter of the Clerk distributing the funds.

Commissioner Hinson said they needed to give direction to the County Manager to cut a check to the Senior Citizens.

Commissioner Morgan said they were discussing how to distribute the funds not when they were to be distributed.

Chair Holt said hopefully they would be distributed without ending up in Court and Commissioner Hinson was saying in his motion he would like for it to be in a lump sum and Commissioner Viegbesie had made the second.

Mr. Weiss said the problem with voting on that now was it was not an agendaed item and according to their ordinance 2-45 that discussed placing items on the agenda, but before he could read the Ordinance Commissioner Hinson interrupted.

Commissioner Hinson asked if he could move to remove that Ordinance and then make a motion.

Mr. Weiss explained it needed to be agendaed and advertised for ten days and until it was on the agenda to remove they could not just decide to remove an Ordinance. He also said he felt it was “contrary to your current Ordinance to right now add that item...”

Commissioner Hinson said since it was already approved and they agreed to pay a lump sum amount, could they advise the County Administrator to get the money from the Clerk. Mr. Presnell said they had done that. Commissioner Hinson stated “All I want to do is for the Board to do something, once the Board makes their move and then I can make my move. That’s all I got to say.”

Chair Holt said they had advised the Manager to do that and the Manager asked the Clerk; the Clerk refused.

Commissioner Hinson said he would withdraw his motion and wanted to instruct the County Manager to submit an invoice for payment and he would have them come tomorrow to see him and said if he understood correctly the Clerk had no problem with Havana and asked that Mr. Presnell submit the invoice to the Clerk and “let the chips fall where they may”.

**Commissioner Brenda Holt, Chair, District 4**

Chair Holt said they had gotten off track with Proclamations and they used to have everyone signed them and then got to where one or two would request a Proclamation and she felt when they all approved them, everyone should sign them. She said it would be nice if the Resolutions were done the same way but was not necessary.

Commissioner Viegbesie thanked her for bringing that item up and he had discussed that with the County Administrator to get an understanding on how those items were handled.

Commissioner Hinson said he felt anything that had a golden stamp to it, the Board as a whole should sign it and not someone individually.

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

She asked the Attorney to look into Proclamations and bring this back at a later date.

She said the next thing she wanted to look at solving the problem they had had with the Clerk in the past and had asked the attorney to look into it. She said the previous Board had fought with the Clerk and he ended up not coming to meetings and there was no reason for it to be passed on and on. She asked Mr. Weiss to tell them what he had found out.

Mr. Weiss said "...When it comes down to it, the Board has the authority to set policy and to make a determination regarding public purpose, I mean that's the Board's responsibility. That cannot be delegated to the Clerk. The Clerk then has the responsibility and the authority to, and in this case we're talking about making payments to disburse payments, but in accordance with law. After making a determination, the Clerk has liability associated with making improper payments, so along with that, it's the Clerk's responsibility for auditing and making sure that payments are appropriate. Part of, in accordance with law, would be in accordance with any existing County Ordinances or County policy, and I don't know, I mean I think that's, I mean that really how it breaks down and beyond that, I think that then..."

Chair Holt said he sounded like where they were before and she added he said the Clerk was liable for approving something that maybe he should not approve but then he is also liable for not approving something and holding us at a standstill and either way he was liable. She asked him how they could clear it up.

Mr. Weiss said "The way to do it and I think what we, if we are not able, I mean I think trying to work with the Clerk to figure out what will resolve any issues that anyone may have is the way we would like to address this and I understand we are where we are. I think that the idea behind these agreements was to try to satisfy everyone's concerns and I obviously participated in drafting the agreements. O don't think that they are, I honestly would say that they serve a couple of purposes that are valuable, one being to let everybody know what's expected and what's required up front and two being they actually do protect the County from..."

Chair Holt said she was talking in general and she said whatever crossed the street, they make policy and it gets across the street and it looks like they did not know what they were doing or the Clerk didn't know what he was doing and she wanted to solve the problem.

Commissioner Hinson said he felt the problem is they tried to do what was right and then the Clerk did not want to "go with none of it no more".

Mr. Presnell said there was an agreement and it was on the agenda at the last meeting, there was more discussion on the dais and the agreements included some lump sums and once it was presented to the Board, there was discussion and the item were tabled and the next morning an email was received from the Clerk's office that all disbursements moving forward would be quarterly disbursements, which required financials and certified audits.

Commissioner Hinson said the Clerk had a “change of heart” and said for the Board to do their job and get rid of stipulations. He said they had been generating more money every year at the end of the year and did not think there was one County Commissioner on the Board that was trying to do anything improper. He added for the record, He had no problem with the Clerk, assistants, or staff, that he really did not know them and never had a conversation with the Clerk. He added when it came to the Senior Citizens and youth, all he did was ask questions and was sorry he hurt his feelings by asking questions and wanted to get away from all the policies that they had put against themselves and if they did not have the policies, the Clerk would not have anything to go against.

Chair Holt agreed and said “Commissioner Hinson I agree with you and I don’t think we need to be writing agreements. I don’t think we should be doing any of that. I think if we send something across the street, we’re legal, he cannot prove that anything we’re doing is illegal then we should be in Court...”

(Commissioner Hinson interjected)

**Commissioner Hinson**

“And, and Mr. Attorney, I got to say this Ms. Holt right quick because it’s on my mind. Mr. Attorney, if, you represent us, right, you represent us. It should never come out of your mouth that a perception like we gonna make sure that the County do everything, make sure we do something right, right? Make sure we don’t do anything wrong or anything else. That’s the same thing the Clerk said in the paper. He said that same thing, wanted to make sure we not doing anything, why that coming out? We have \$6.9 Million surplus, \$7.2 Million surplus, we doing everything right, it shouldn’t come out of your mouth unless we doing something wrong. It shouldn’t come out of the Clerk’s mouth because we not doing anything wrong. That’s what I’m just saying. Because once you say it, it’s in the paper.”

**Chair Holt**

“Right, but let me say this Commissioner, wait, wait, hold up Mr. Attorney, let me tell you something. No matter how we discuss this, until you get a legal ruling from a Judge, it’s not going to matter. The Judge has to say yes, no and that’s it. Now, what we’re saying is, a group comes before us and it doesn’t have to be any of these, it could be anyone. We decide to give them some money, we decide on how we’re going to give it to them. He says ‘Well, I’m not gonna do it that way’, like you said, he changed his mind by the next day. That’s not law.”

**Commissioner Hinson**

“That’s unethical.”

**Chair Holt**

“That’s not law. So now you’re saying, and I saw a couple of State Statutes, right? I asked you about looking at those. I went on-line and I looked at some and I called Chief Financial Officers’ Office in Tallahassee and I got an opinion from some of the people there on staff and I’m going to continue getting opinions because this does not make sense. It doesn’t make sense in that if you are doing something wrong, he says ‘Well I can’t approve this payment of this because of A, B, C and ‘D, it should apply to ordinances or State Law, not how I felt when I got up in the morning. So I really don’t need to know any of this other stuff. I’d rather let a Judge across the street decide, or wherever that Courtroom’s going to be. And then we do it and as I said before, Commissions and

Clerks sue each other all the time all over the State of Florida. It happens every year. So this should be settle before we get any new young people that think they are doing a good job, then time they get everything done, they get shot down by a Clerk. It don't have to be that Clerk, it could be any Clerk. So, why don't we just go ahead a solve this. Call it, bring it to a head, let's go ahead and do it and solve. It's not going to kill anyone. I campaigned for the Clerk. I was one of his supporters when he ran. I don't have a problem with anyone not following the law. I don't care if it's my brother, sister, or whoever. That's just the way it is, let's do it."

**Mr. Presnell**

"At you next meeting, it's agendaed in such a way, you have options there and if this Board, the majority of the Board..."

**Chair Holt**

"I don't even want that agreement."

**Mr. Presnell**

"Well, then, that was the set-up for taking further action..."

**Chair Holt**

"Right, let's go."

**Commissioner Hinson**

"I have, I have..."

**Commissioner Viegbesie**

"Motion to adjourn?"

**Commissioner Hinson**

"Hold, hold, hold on, I have one more question, Doc. I've got to say this real quick because I know this is here. I was talking with one of the City Commissioners in Tallahassee and really, it made perfect sense, 'cause what happened was, you guys have Christmas as well as y'all have, what you call it, first of January, whatever, New Years' Day, whatever and what I was thinking here, just that, so that you guys won't be in a rush, here's what the City of Tallahassee did. They cancelled the first meeting in January and they went to a third meeting because they looked at staff, you may have staff that may be out of town that week, the end of December and the first day may fall on January 2<sup>nd</sup>, which means that you guys cannot, the staff can't have a, you know, they can't meet that much because they rush...that's just something to consider. I think we should cancel first meeting in January..."

**Chair Holt**

"And do what?"

**Commissioner Hinson**

"And do what? Because what I was saying was that the staff..."

**Mr. Presnell**

"We're off that Friday."

**Commissioner Hinson**

"Right, that's what I'm saying, the staff, the staff, it just, you really want them to enjoy their holiday too as well. That's what I was thinking. You don't want to make it a disadvantage, things, like it's a dreaded thing, they got family too like everyone else, and so, I was just thinking..."

**Chair Holt**

I'm trying to think what that date is."

**Mr. Presnell**

"It's that following Tuesday."

(Deputy Clerk Marcella Blocker told them the date was January 5<sup>th</sup>.)

**Commissioner Hinson**

"January 5<sup>th</sup> the date? Yeah, and what I'm saying, you got Christmas then the following New Years' Day..."

**Chair Holt**

"We'd have to vote on that."

**Commissioner Hinson**

"We got a quorum, we got three, I'm just throwing it out there for you."

**Chair Holt**

"No, doesn't it have to be agendaed? Does it? Say something."

**Mr. Presnell**

"We've got a lot on that agenda; I'm trying to think of what's time sensitive."

**Mr. Weiss**

"I think technically per our Ordinance it would, if you are going to take action to cancel a meeting, I think you would need to have it as an agendaed item. Can I make one more comment real quick and I will not belabor this at all. All I wanted to say was any comment that I may have made, I certainly would never suggest the County has done anything wrong. I think the only context I may have said anything in that regard would be just to say what the County does is again, make policy. You make the decision to disburse funds to qualified agencies that provide human services to the citizens of Gadsden County and the only thing that I may have said about that is we, there are checks and balances that are needed to insure that those funds are not improperly used. Not that this Board by any stretch of the imagination did anything or would do anything, but you have to, there is a reason that there are checks and balances in place, because there could be the potential for someone abusing public funds. That's possible, that can happen. There's a way to deal with this, like you said, if we are of the opinion that, you know, the clerk is not doing what the Clerk is supposed to be doing is to sue for a Writ of Mandamus and that's our remedy. I mean, that would be our remedy and if we make that decision, I think like Mr. Presnell said, I mean, after we vote at the next meeting on the funding depending on what happens on that respect, we can discuss whether or not that's an option."

**Mr. Presnell**

“And you will have a good paper trail for your action.”

**Chair Holt**

“And also that’s the reason, that’s one reason why you want to do it while the issue’s hot. You’ve got a lot of documentation and you have documentation that’s legal because you’ve been in an official meeting. The other thing is that when I told you to look at some of the items, that’s one reason why I said look at some of the items that were not approved. You have to look at items and say if this legal or not legal because you get in Court and he say do we have policy (inaudible) just say yes. You say ‘Does he have a right to audit what you do’ the answer is yes. So what’s the dispute? The dispute is, are these things legal or not and that’s what’s debatable in this and that’s what should be taken care of by law. That’s where I am with that. I don’t see any sense to keep talking about it.”

**Mr. Weiss**

“I just want to say one more real quick thing and I think the reason that some of the items, my understanding, the reason that some of these items were rejected was because of the way the payments were being processed and because they were coming back as receipts they were having to be processed as though they were being paid as a county expenditure rather than as a (inaudible).”

**Chair Holt**

“As I said before, that’s why you don’t ask for a receipt, but when you ask for them, they give them to you.”

**Mr. Weiss**

“And that’s why I think that this, what the Clerks’ office has said moving forward with these agreements there will be no receipts. There wouldn’t be any of that, what there would be is an agreement to provide funding and once when, they would be obligated to provide certain documents...”

**Chair Holt**

“Now, let me say this right quick, and you are totally correct in that, that’s why I said you don’t ask for receipt, but when you ask for receipts and they gave them to you, then you shouldn’t complain. The other thing is this, when you are looking at that, if we say ‘and the next time we do something, we want it done in a lump sum and then he says ‘I’m gonna do it quarterly’, ok? So then you’re back to where you are. And that’s why I say get a motion, I mean let me get a ruling from the Judge and be through. This is cra...”

**Commissioner Hinson**

“Suppose the Clerk starts saying ‘I want it monthly then, if he get comfortable with quarterly he might say I want it monthly, or bi-weekly.”

**Chair Holt**

“OK, anyway, what I want to do is make sure we get everything done we need to get done. Motion to adjourn.”

**Commissioner Viegbesie**

“Moved”

**Receipt and File**

20.

- a. Truth in Millage (TRIM) Certification Letter
- b. BY2015 Administrative Budget Amendments

**UPCOMING MEETINGS**

21. January 5, 2016-Regular Meeting-6:00 p.m.  
January 19, 2016-Regular Meeting-6:00 p.m.

**MOTION TO ADJOURN**

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 8:08 P.M.

GADSDEN COUNTY, FLORIDA

---

BRENDA A. HOLT, Chair  
Board of County Commissioners

ATTEST:

---

NICHOLAS THOMAS, CLERK