

**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 16th 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 1st 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 20th. 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 19th 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 9th 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 23rd in town and in the country on Sunday the 24th. 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

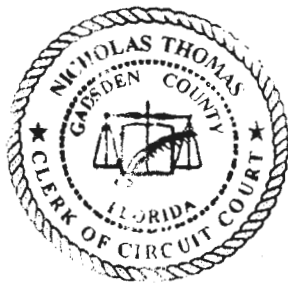
UPCOMING MEETINGS

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