

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON JANUARY 17, 2017 AT 6:00 P.M.,
THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

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

INVOCATION, PLEDGE OF ALLEGIANCE

Chair Taylor called the meeting to order at 6:00 p.m., welcomed everyone, asked everyone to stand for a moment of Prayer 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 said he had one amendment as Item 6a, approval of a Proclamation that was to be presented tonight to Mrs. Rosa Lee McGriff.

UPON MOTION BY COMMISSIONER HINSON AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO ADD ITEM 6A TO THE AGENDA UNDER CONSENT.

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

AWARDS, PRESENTATIONS AND APPEARANCES

1. Proclamation Honoring Mrs. Rosa Lee McGriff

Mr. Presnell said they had a very special Proclamation to present tonight to Mrs. Rosa Lee McGriff, who turned 100 on January 13th.

Commissioner Hinson had a few words to say before the Proclamation was presented.

Chair Taylor asked the Commissioners to join her in front and then read aloud the Proclamation and presented it to Mrs. McGriff.

2. GCDC Update

Mr. Presnell said the GCDC was present to give an update.

Jim McShane, Chairman of GCDC, appeared before the Board and gave a brief update.

Beth Kirkland, GCDC, appeared before the Board to speak about their current activity, the Freight Logistics Zone along the Apalachicola Northern Railroad and connected in

Chattahoochee to the CSX mainline. She added that the purpose of this effort was to identify a zone and supporting infrastructure that would serve as a strategic interest in the Region and the State. She mentioned the specific focus in this grant was to position site 001 as an inland port or Intermodal Logistics Center. She said a number of calls had been received for Small Business Technical Assistance and listed several projects they were working with.

Save the Date She mentioned a new business in the area, Four Star Freightliner, would be holding a ground breaking on January 24, 2017 1:00 p.m. at site location on Brickyard Road.

Antonio Jefferson, Chair Elect, appeared before the board to expand on the community development. He said they were seeing more requests from people with small shops that need to do things such as paving parking lots, etc.

Chair Taylor asked if they wanted to ask questions if GCDC or if they preferred to wait to hear from the Chamber. Commissioner Holt said she had questions for GCDC. She asked about beautification and said when she was traveling west of the County around Sneads and Marianna and she saw where trees were going in with solar lights. Ms. Kirkland said she had read about those projects through the Florida Redevelopment Association. Mr. McShane said he had noticed it seemed to be a trend with solar or LED lights that would save electricity and beautify the space.

Commissioner Viegbesie said his comment was more of a commendation than question and he was convinced that GCDC going in the right direction and was glad to know they were going to other communities to see what they had done and commended the approach they were taking.

3. Chamber Update

Rob Nixon, Small Business Program Consultant, appeared before the Board on behalf of David Gardner, Executive Director of the Chamber of Commerce.

He gave a quick overview of the Small Business Services program and said they were serving any citizen of the County with a business or business idea with the emphasis on entrepreneurship and did not have to be Chamber members. He said they served through:

- Training
- Counseling
- Technical Assistance
- Networking
- Information Clearinghouse

Commissioner Viegbesie commended Mr. Nixon for a job well-done and the effort the Chamber was making to include the business community as participating stakeholders in the economic growth in the County.

Commissioner Holt said Mr. Nixon had said the Small Business was funded at the Chamber at \$40,000 and he said no, the first year he thought it was funded at \$40,000 but the subsequent years it was funded at \$80,000. He said approximately 80% went into services for training and counseling but was not money that went into the hands of small business. Commissioner Holt said she felt it would be more economical for the County to hire him instead of leaving him with the Chamber so he could be full-time and go after things.

Commissioner Hinson said he would call Mr. Nixon a lot when he would receive calls from citizens and appreciated his leadership.

Commissioner Viegbesie asked how events that he provides were brought to the attention of citizens so they know what they were doing and what was going on. Mr. Nixon said they continue to use local periodicals, flyers, etc. and Commissioner Viegbesie asked about churches and Mr. Nixon said yes.

Commissioner Hinson said he knew Commissioner Holt brought up the Small Business Development Center and felt they needed to entertain how to be aggressive.

Chair Taylor said she had listened to both presentations and having just come off the campaign trail, she has heard what people need, mostly jobs, and she said currently they were looking at two arms putting together economic development. She said Commissioner Holt mentioned something she would like to see move forward and that was having an economic business development program within the County government that could be more focused. She added what could be a stronger avenue than having such in the department.

Commissioner Hinson said they had talked at the retreat last year about Broadband and no-one mentioned tonight and it was poor in some areas.

CLERK OF COURTS

Mr. Thomas was present and said he forwarded an email from the Finance Director where she questioned an invoice regarding a SHIP housing contract for \$19,000 of a \$44,000 contract. He added the contractor had been paid the \$19,000 but a number of questions were raised. He added that the BOCC approved this at a November meeting and the name approved on the list did not appear to match the name on the Agenda Request and the payment request from the Contractor. He informed the Board the person used their middle and maiden name and the person involved was a County Administrative staffer and by itself was not an issue but there were other issues. He said the person had been on the list since 2005, and did the person qualify based on current information and there was a question about a signature where another county staffer acknowledged signing paperwork to expedite payment instead of the individual. He said when these types of things happen, he had a fiduciary responsibility to report it, it has been reported to the auditors, and it was reported to Florida Housing Finance Corporation, who was over the SHIP program. He made a recommendation that they ask the County Attorney to review all of the policies to ensure there was no favoritism or preferential treatment and cautioned them it could cause the County to lose grant money.

Commissioner Viegbesie thanked him for bringing this matter up and was one of the questions he was going to ask regarding that item and echoed what he said about any procedure that was undertaking for procurement that would provide any perception of impropriety and felt before it was placed on the Agenda for approval, the Chief Executive Officer should review along with the Attorney to ensure there was no sign of no impropriety. He added when he looked at the signatures, they were very different and wanted to make sure no chance of the County losing grant money. He asked the Attorney to make sure everything they did was done properly.

Commissioner Holt asked for a response from the Manager regarding this matter. Mr. Presnell said he became aware of this and there was a difference in the name because the maiden name was different from the married name and he did not make a connection earlier when it was approved by the Board. He said the Finance Director had concerns and he emailed her back and once he became aware of it, he had the SHIP Department bring him everything going back to the original application. He said there has been several changes made, the biggest one was any approval for SHIP housing even if it did not include a County employee, would come through the County Administrator's office to verify all documentation.

Commissioner Hinson said he had not had a chance to review the email and asked if this was a new home. Mr. Thomas clarified it was a rehab on their home and the BOCC approved a \$44,000 rehab on the individual's home. Commissioner Hinson asked questions regarding the application and agenda packet had the middle and maiden name not the current married name on the application. Commissioner Hinson said he had a lady in his district whose house needed some work done, he help to start the process and the County did a super job expediting it and during the week she was to receive it, she passed away and was why this was more touching to him. He then said, according to what was said, they had staff falsifying or putting another name other than the name everyone was familiar with threw him off a little bit. He thanked Mr. Thomas for bringing this matter up and doing his job. He asked what the ramification was now of what had happened.

Chair Taylor said his point of concern was very valid and recommended that the Administration get with him and answer the questions.

Commissioner Hinson said he was "sick and tired" of Administration getting with every issue and added with Waste Pro they were given a contract for free, just went five years with Waste Pro and he still had not gotten the light straight in Concord yet. He added he was not against the County Administrator but somebody had to step up and start doing their job. He said he was not mad or being belligerent but was being belligerent for the people. He thanked Mr. Thomas for his thorough investigation into this matter.

DISCUSSION ITEMS BY COMMISSIONERS

4. Report and Discussion of Public Issues

Commissioner Brenda A. Holt, District 4

Commissioner Holt said to Commissioner Hinson she understood where he was coming from and said they needed to do better together and she was including the Clerks' Office, Finance Director as well as people on this side of the street. She said if they saw her shaking her head, it was because if it got close to calling anyone's name in a public meeting, that was when the lawsuits would start flying.

She then asked if they had received anything regarding the Christmas lights and she was concerned with the beautification for County.

Commissioner Anthony "Dr. V" Viegbesie, District 2

Commissioner Viegbesie said regarding earlier comments there was a meeting that he had talked about with the Gadsden County Historical Preservation project. He said this was a

program that went with tourism where they collected history of the County. He added he was glad to see the presentation today to the 100 year old lady and there were things that she knew that no-one else knew that she might take with her. He said there needed to be a way of recording those things and what people might know of what Gadsden County was. He said the past week he was invited to the Township of Havana and they have embarked on the same project for Havana and was the Havana History and Heritage Center. He suggested the County work with them to start a real effort to collect the history of the County so that ones that were younger, not born here or were passing through would know something of the County.

He commended the Gadsden County Sheriff's Office for their recognition from the Mission for its exemplary Re-entry program.

He then said he had received two letters with regard to FDOT upcoming projects; one on State Road 10-(US 90) from West of Flying J to the Leon County line and said the FDOT was in the process of designing projects that included restructuring the travel lanes from west Flying J entrance to the east Pilot entrance with concrete pavement; and the other project was County Road 65A, Juniper Creek Road with the replacement of Juniper Creek Bridge. He said if the citizens wished to have input, the project manager's name was Nicole Arrant and the contact number was 850-415-9017 or 888-638-0250 ext. 1513.

Commissioner Eric Hinson, Vice Chair, District 1

Commissioner Hinson thanked the Board and said they were an awesome Board and he only gets stressed out about kids and seniors.

He then mentioned Dr. Martin Luther King, Jr. and said he promoted everybody.

Commissioner Gene Morgan, District 3

Commissioner Morgan said he had only one item and that was to present Commissioner Holt information regarding a citizen that approached him about some issues regarding road paving in her district.

Commissioner Sherrie D. Taylor, Chair, District 5

Chair Taylor asked the Board's approval and said she would like to start sending resolutions to funerals on behalf of the County Commission and that she had seen it done by other boards and thought it would be good to extend their sympathy. She said they could not be everywhere but they could send Resolutions.

Commissioner Viegbesie said he was glad she mentioned this because the procedure was changed and thought this would be a wonderful idea and he supported it.

Commissioner Hinson said he had another person he would like to recognize and would like to do a Proclamation for Mother Ida P. Simmons, who would also be 100 years old.

UPON MOTION BY CHAIR TAYLOR AND SECOND MADE BY COMMISSIONER BY COMMISSIONER VIEGBESIE.

Chair Taylor said she understood from the Attorney they needed to make a motion and vote on

her proposal, but Commissioner Hinson's motion carried.

Chair Taylor said she wanted to make sure everything was correct with Commissioner Hinson's motion. The Deputy Clerk pointed out there was a Motion and second but no vote.

SHE THEN CALLED FOR THE VOTE WITH REGARD TO THE RESOLUTION FOR MOTHER IDA SIMMONS. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

UPON MOTION BY COMMISSIONER VIEGBESIE THAT A RESOLUTION BE SENT TO THE FUNERAL HOME OF ANY CITIZEN IN THE COUNTY THAT NEWS OF THEIR PASSING COMES BEFORE THE BOARD WITHOUT HAVING TO COME TO THE MEETING FOR APPROVAL AND SECOND BY COMMISSIONER HOLT, COMMISSIONER MORGAN HAD QUESTIONS.

Commissioner Morgan asked how the Board would be notified of the Resolutions going out. Chair Taylor said they could put something on the following Agenda to let the Commissioners know who received one. Commissioner Morgan said he could foresee people thanking them for the Resolution OR asking why their family did not receive one. Chair Taylor said she felt they had a fail-proof method in place and had communicated with the Sheriff's Department and the School Board. She added they had been very thorough in making sure Resolutions went out.

Commissioner Holt said she failed to mention Congressman Lawson's office will have a few hours here at the Library in Quincy on Thursday afternoon.

The Deputy Clerk pointed out there had not been a vote on Commissioner Viegbesie's motion.

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

Chair Taylor asked if the meeting with the municipalities had been set up yet. Mr. Presnell said some were set up, she asked about the meeting with the School Board and he said not yet. He said the Superintendent's Office relayed back to his Staff that he wanted to put it on the School Board Agenda and have them approve it first.

Chair Taylor asked the timeline for the sidewalks that were to go on Strong Road and asked Mr. Presnell to look into it and see when it was to happen.

She then said there were times when they wanted to host events in their communities, Town Hall meetings, and in doing so; they may want to have refreshments, etc. and had to be Board approved. She wanted to put it out before the Commissioners that if they could set a minimum, just as they did with the Resolution tonight, maybe \$300.00 that they could use to host a meeting and be able to provide some refreshments for the gathering. She said she was not asking for a vote tonight, just for them to think about it.

CONSENT

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

5. Approval of Minutes

- a. **May 26, 2016-Budget Workshop**
- b. **November 15, 2016-Regular Meeting**

6. Ratification to Pay County Bills

ITEMS PULLED FOR DISCUSSION

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

PUBLIC HEARINGS

7. PUBLIC HEARING-Adoption of Ordinance No. 2016-022, an Ordinance of the Board of County Commissioners of Gadsden County, Florida, creating the Gadsden County Parks and Recreation Advisory Board, providing for repeal, severability, inclusion in the Gadsden County Code of Ordinances, modifications that may arise from consideration at public hearing and correction of scrivener's errors, and providing for an effective date; and adoption of Bylaws for the Gadsden County Parks and Recreation Advisory Board.

Mr. Presnell introduced the above item and said it was for adoption of an Ordinance to create the Gadsden County Parks and Recreation Advisory Board and the adoption of the Bylaws for the Board.

Chair Taylor asked for a refresher as to why it was tabled. Mr. Presnell said Commissioner Hinson did not have the information in his packet when it was on the Agenda at an earlier meeting. He added that each Commissioner would select a committee member and the majority of the Commissioners would select an additional member and the Parks and Recreation Director would serve on the Board.

Commissioner Morgan stepped out at this juncture of the meeting.

Commissioner Hinson said he had been gathering folks in his Community to try to fix this problem because if they were talking about a County-wide situation, a lot of folks would be left out. He said for example, there were three Commissioners from Quincy who wanted something at one place and Havana/Midway would be left out or Chattahoochee could be left out. He said that group would not know where to put a Community Center at or a fitness center or park in the area.

Commissioner Morgan returned at this juncture of the meeting.

Commissioner Hinson continued and said he thought they should get with different groups in the area to decide where they should go and he was meeting with different people to get them to donate land.

Chair Taylor said his point was well taken and announced this was a public hearing and asked if anyone in the audience that wished to speak and there was no-one.

Commissioner Viegbesie said he heard and understood Commissioner Hinson's concern but the creation of this Authority was like any advisory board that the Board had. The membership would be appointed by Commissioners and they were an advisory body. He added that his

intent was to create a Park and Recreation Improvement Authority, which would be an advisory body and would not make decisions and would help this Board to explore funding sources for the recreation activities as well as and parks and recreation. He added his only concern with the way this Ordinance was written, he suggested each member of the Board recommend a person to have a vested interest and involvement in sports and recreation and did not see it in the By-laws and suggested it be included.

COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE THE ADOPTION OF ORDINANCE 2016-022 AND ATTACHED BY-LAWS WITH ADDITION OF CRITERIA AND FOR AUTHORIZATION FOR CHAIR TO SIGN. MOTION DIED FOR LACK OF SECOND.

Commissioner Hinson said he was not against what Commissioner Viegbesie said, it was a great idea, just needed to be condensed. He said three years ago he tried to put a Community Center in Havana and said he was told by Commissioner Viegbesie it was "time to be conservative" and then six to eight months later he brought a plan to put something in St. Hebron. He added he had promised the folks in St. Hebron he would put something there anyway. He decided to approve it and take one for the team. Then he helped him get the fire station there and took one for the team. Once he got what he wanted, he took his ball and bat and said let's do an advisory board. He added District One did not have many parks and recs and had the largest district in the County, more people in the County than anybody, almost double the size of some districts in the County. He said between Concord and Richbay, there was a nice lake and was a nice place to enhance the lake, could purchase land to enhance. He said there was a difference between Planning and Zoning and Parks and Recreation because Planning and Zoning sets policies for the whole County but Parks, how would they know where a need was if they had not been there before. He said when they placed the Brenda Holt fire station, that was the Board making a decision to put a fire station there and you can see the building but you could not see the restrictions with Planning and Zoning. He added they were talking about "apples and cucumbers" right now.

Commissioner Holt said he would have say-so from his district.

Commissioner Viegbesie said with all due respect to Commissioner Hinson, when an accusatory statement was made, he hoped there were facts to back it and if there was a record anywhere in the County record of meetings where he said that this particular community center that he was looking for he opposed because he wanted to be conservative, he did not recollect making any type of statement opposing any community center and saying they needed to be conservative. He said when comments as such was made on record, he was not going to let it go without responding to it because he did not want anyone to use him as a reason why something was not going on anywhere. He added he had worked with Commissioner Hinson to get money for the Senior Citizen Center in Havana and went on record to say "I cannot recall and know you do have a mind sharper than mine, so I cannot recall but if you do, I don't know where it came from, but this Commissioner did not oppose a community center coming to District 1 because I said we needed to be conservative".

Commissioner Morgan said he knew there were different points of view about how to set up the advisory board and why not approve the Ordinance for a period of time, say one year and move forward.

Chair Taylor asked for a motion.

Commissioner Morgan asked the attorney if they could make the changes in the Ordinance without tabling and bringing it back before the Board and Mr. Weiss said they could add a sunset provision and was actually a sunset provision in the by-laws for four years and could be changed.

COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE ORDINANCE 2016-022 AND ATTACHED BY-LAWS FOR A PERIOD OF ONE YEAR WITH ADDITION OF CRITERIA FOR MEMBERSHIP BEING THAT A CITIZEN IN THE DISTRICT TO BE CHOSEN BY COUNTY COMMISSIONER OF INDIVIDUAL HOW HAS DEMONSTRATED INTEREST IN RECREATIONAL ACTIVITIES IN THE COUNTY AND AUTHORIZE CHAIR TO SIGN AND SECOND BY COMMISSIONER MORGAN. COMMISSIONER HINSON HAD A QUESTION.

Commissioner Hinson said Commissioner Viegbesie just explained why Commissioner Hinson said this would not work. (During the motion stated by Commissioner Viegbesie, he mentioned an individual's name that was his choice to serve on the Board.) Commissioner Hinson stated that Courtney no longer lived in the County. He added that he could show him on record where he said that he refused to put a community center in Havana. He added that he had spent the past two weeks reviewing minutes from the past two years and he could not recall verbatim exactly what was said by Commissioner Viegbesie, but he said it.

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

GENERAL BUSINESS

Howell Road Widening and Resurfacing-Professional Services

- 8.** Mr. Presnell introduced the above item and said it was for Board approval to execute a Task Order with Dewberry/Preble-Rish for the survey, design and contractor procurement of the Howell Road Widening and Resurfacing Project.

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

- 9.** **Approval to Extend the Current Lease Agreement with USDA for the FSA Service Office**
Mr. Presnell introduced the above item and said it was for Board approval to extend the current lease agreement with the United States Department of Agriculture through June 30, 2018.

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

- 10.** **Approval to Extend the Current Lease Agreements with 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 approval to extend the current lease agreement with Oretha Jones, b/d/a/ Jones Community Health Center to lease the Chattahoochee Health Clinic located at 680 Maple Street, Chattahoochee, FL and the dental

equipment as well.

COMMISSIONER MORGAN MOVED FOR APPROVAL BUT WANTED TO BRING TO BOARD'S ATTENTION THERE WERE SOME ISSUES BUT NOTHING THAT COULD NOT BE TAKEN CARE OF AND REMEDIED AND WOULD KEEP AN EYE ON IT, SECOND MADE BY COMMISSIONER VIEGBESIE. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

11. Approval of Resolution 2017-001 to Amend Specified Fees Established for Planning Processes Collected by the Planning Division

Mr. Presnell introduced the above item and said it was for adoption of Resolution 2017-001 to amend specific fees established for the Planning Division to reflect streamlined processes in the Land Development Code (LDR) and to promote economic development.

COMMISSIONER VIEGBESIE MADE A MOTION FOR APPROVAL OF OPTION ONE AND SECOND MADE BY COMMISSIONER HOLT. CHAIR TAYLOR HAD QUESTIONS.

Chair Taylor asked if they were increasing the fees and Mr. Presnell said no, there were several code changes the Board approved recently, there were some reductions and were no increases.

Commissioner Morgan asked how this was initiated and Mr. Presnell said Jill Jeglie, Interim Planning and Community Development Director, brought this to his attention because there was a citizen to come in for a conceptual review and was a fee associated with it. He said the conceptual review was now an administrative function and not near as much staff time involved.

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

12. Approval to the State Housing Initiative Partnership (SHIP) Annual Report

Mr. Presnell introduced the above item and said it was for approval and execution of the State Housing Initiative Partnership Annual Report.

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

13. Approval and Signature(s) for Satisfaction of Special Assessment Lien SHIP Program

Mr. Presnell introduced the above item and said it was for approval of and signatures to satisfy the Special Assessment Lien(s) that were agreed upon by the Homeowner and Community Development Stated Housing Initiative Partnership (SHIP) Rehabilitative Program.

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

14. Review and Approval of the Amended 2017 Legislative Priorities

Mr. Presnell introduced the above item for approval of the amended 2017 Legislative Priorities and said the Board had approved the document at an earlier meeting and there were minor changes made to the list and emailed to them earlier today the attached Memorandum regarding the Gadsden County Re-entry Program received from the Sheriff's Department. He

said he had a conversation with the Sheriff last week and he had asked that the request be included in the document and if they chose to do so, it should be included in the motion tonight to instruct staff to include his request of \$250,000 for a Jail Faith Behind Bars Re-entry program. Chair Taylor asked who would administer the money. Mr. Presnell said the Clerk might be able to answer that question; he had never dealt with a law enforcement type appropriation. Chair Taylor said the Sheriff had a separate budget.

Mr. Thomas said most grants would go through the Board.

Commissioner Holt asked Mr. Presnell if grants to Sheriff's Office would be administered by the Sheriff's Department and he said no, most were handled through the Board.

Commissioner Viegbesie said they were fortunate to have the lobbyists here and they could tell them how this would impact the Legislative Agenda that had already been prepared.

Chris Doolin appeared along with Al Lawson, III, lobbyists for County appeared before the Board and said he thought if there was a concern regarding the money going directly to the Sheriff or the County, they should have the conversation as to how they would request and support that item. He added that with any item that was a request to the Legislature, under the House rules, there had to have a separate appropriation budget request bill, a new process.

Chair Taylor asked the Board what they wished to do regarding the item.

COMMISSIONER HINSON MADE A MOTION FOR OPTION ONE TO APPROVE AND COMMISSIONER HOLT MADE THE SECOND AND ASKED WHAT THEY NEEDED TO DO WITH THE MEMORANDUM.

Commissioner Viegbesie said he felt there was no need for the Memorandum because they were about to add \$250,000 to their Legislative Agenda.

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

15. Selection of Legal Services for Gadsden County BOCC

Mr. Presnell introduced the above item and said this was presented to the Board for selection of a firm to provide legal services for the County.

Chair Taylor said this item took some time at the last meeting for discussion and said that it was very specific that they selected legal services and they could either put a motion out or hear from each Commissioner.

Commissioner Viegbesie said if any Commissioner wanted to put out a motion and then they could have a discussion.

Chair Taylor said at the last meeting she did not have an opportunity to say anything and there was a very good exchange around the dais. She added, in her fumble opinion, they would do well with either counsel. She said both displayed when they did their presentation their professionalism, each was capable having both served as County Attorney before. She said

there was the saying "if not broke then why fix it". She added she had concerns with the current attorney, but not to the degree of trying to remove him, which was the fact they did not seem to get things out in a timely manner and it concerned her. She also said she knew history of both and made inquiries as to the previous attorney and the huge bill they saw from invoices and there was a lot of litigation that raised the budget then tried to sue the Federal Government and that cost a huge amount to the budget. She further stated she wanted to see the County progress and added there were things she felt that needed to be improved on. She also stated that whatever happened tonight she could live with it. She said she was not of the mindset things would fall from the sky. Chair Taylor said Commissioner Hinson had said at the earlier meeting he was concerned about the Attorney being engulfed in so many other entities, CSX, School Board, Capital City Bank, etc. and that could be a connection they could value and she saw it as a plus not negative. She added that Mr. Williams was professional, respectable and very protective but she was not of the mindset of moving backwards but moving forward.

Commissioner Hinson said he had never been on the board with Mr. Williams but he had never had a problem with the current firm but was concerned with potential conflicts with the other group and asked if a situation came up with the School Board, Talquin CSX, etc., how would it be handled?

Commissioner Viegbesie said since they were having the conversation, he made a quote from Malcolm X. He said he had looked at the packets, been on the Commission for two years and they had gone through this before with both law firms coming before them.

COMMISSIONER VIEGBESIE MADE A MOTION TO ACCEPT THE CONTRACT FROM THE WILLIAMS LAW FIRM AND SECOND MADE BY COMMISSIONER HOLT. COMMISSIONER VIEGBESIE ASKED IF MOTION COULD BE CARRIED VIA ROLL CALL AND CHAIR TAYLOR SAID YES.

COMMISSIONER VIEGBESIE – YES

COMMISSIONER HINSON – NO

CHAIR TAYLOR – NO

COMMISSIONER HOLT – YES

COMMISSIONER MORGAN - NO

THE BOARD VOTED 3-2 BY VOICE VOTE. MOTION FAILED.

COMMISSIONER MORGAN MADE A MOTION FOR THE AUSLEY LAW FIRM AND SECOND BY COMMISSIONER HINSON WITH A QUESTION.

Commissioner Hinson said he did not like a Commissioner having reservations and felt they both were great attorneys and Chair Taylor said he had some of the same reservations she had which was how could they get the representation when there was a conflict. She added in the past there was a conflict with Capital City Bank and the law firm paid the conflict attorney and they were not going to do anything to hurt their future employment with the County.

Commissioner Holt said the conflict issue was a big issue with her and thought it would be for most people. She said it had nothing to do with whether they did a good job or not but the possibility of a conflict. She added she felt they needed to look at it again but the majority rules.

Commissioner Viegbesie said before she carried the vote and he knew it would be in favor of the motion, but wanted to say upon the interview and conversation with the two firms, one thing

that impacted his decision was the potential for conflict of interest because when there were multiple clients are were in the same jurisdiction you serve, there was the potential for conflict of interest. He further stated when the question was asked during that workshop if the retainer for the attorney representing the other group exceeded the contracted amount with the current law firm, his response, if he recalled, was then the payment of the other law firm's service would be on the Board.

Chair Taylor said that was a valid complaint and a way they could take care of it, if the Ausley contract was approved tonight, there must be language in the contract that would protect the Board when there was a conflict of interest that if in the event the revenues were exhausted, there were measures that the law firm must take on themselves to protect the County's interest. She added it must be negotiated out and must be placed into the contract so they were not without legal fees to continue their legal services in the event a conflict did come. She said there was also the issue that she believed that what Ausley proposed was higher and they could enter into negotiations when the contract was approved. Mr. Presnell said with either attorney they chose, that would be the next step.

Commissioner Hinson said he was curious because at the budget workshop, he noticed almost every department went up and said a couple years ago the contract was at \$130,000 and asked what the deal was now and how much overage they had this year. Mr. Presnell said they did go up from what they were three years ago but had not had any budget problems where they had to move money.

Commissioner Hinson said the Board controlled how much the attorney would make.

Commissioner Holt said they could vote but did not see the need of going through a special adjustment, it should come in the contract at the time, if it met the criteria it did not have to be re-negotiated and they could vote.

CHAIR TAYLOR CALLED FOR THE VOTE. VIEGBESIE ASKED IF ROLL CALL COULD BE USED AND CHAIR TAYLOR SAID YES. COMMISSIONER MORGAN ASKED THAT THE MOTION BE RESTATED. CHAIR TAYLOR SAID MOTION AND SECOND TO APPROVE AUSLEY LAW FIRM FOR ONE YEAR AND ALLOW ADMINISTRATOR TO NEGOTIATE TERMS OF CONTRACT.

COMMISSIONER VIEGBESIE – NO

COMMISSIONER HINSON – YES

CHAIR TAYLOR – YES

COMMISSIONER HOLT – NO

COMMISSIONER MORGAN – YES

CHAIR TAYLOR SAID THE VOTE WAS 3-2. MOTION CARRIED.

COUNTY ADMINISTRATOR

16. Update on Various Board Requests

Mr. Presnell said they needed a legal opinion, there was a meeting tomorrow with consultants that will appear with a proposal with the Re-entry Program for the Sheriff and wanted to meet with the local leaders and asked if that would be a problem. Mr. Weiss said they could meet individually but not together. Commissioner Holt asked if they were voting on the issue and Mr. Weiss said technically, if it was not an issue they were voting on and they were not going to

discuss it amongst themselves, but he did not like them meeting together collectively because there was always the opportunity to talk about something and there be the appearance of potential impropriety and that was his opinion. He added that technically they could all sit around together at lunch and not talk about anything that was related to anything that would ever come before them and there was no violation of the Sunshine law. Commissioner Holt said there was no law that said they could not be there, just do not talk and it, and do not discuss the issue. Chair Taylor asked who planned on attending, Commissioner Viegbesie said he would be teaching, Chair Taylor said she would not be attending, Commissioner Morgan said he planned on attending but not if it would hamper any potential progress. He said he did understand the need for them to be there but was not going against the advice of the attorney. Mr. Weiss said his suggestion was if everybody wanted to be able to attend for informational purposes, sit and listen, withhold any questions until after and ask your questions on a one-to-one individually when not collectively in the same room. Chair Taylor said that would not happen and as Commissioner Morgan said, she wanted to go but was not going to jeopardize things. Commissioner Morgan said the way to compromise, agree to go and let them know they were there because they were interested but do not ask any questions because they did not want to violate the Sunshine law.

Mr. Presnell reminded Commissioner Hinson they needed a Planning Commission appointment to replace his Commissioner and Commissioner Hinson said he would get it to him first thing tomorrow.

Mr. Presnell said the Clerk put this out again and was the third time and was obviously bothering him and if it bothered the Clerk, it bothered him. He added that he called himself looking into it and helped in getting the original forms and applications, but if the Board likes, he said he had been doing this 33 years and never had a finger pointed at him and if they would like the Attorney to look into the whole SHIP application. Chair Taylor said they were stirring water and concerned her when he said he had reached out to the different agencies and they could very well cut off their funding. She added they made an error, it was an in-house mechanism put in control to ensure it did not happen again and now we move on and there was nothing we could do about it. She added "You wanted to stop remodeling the house when everything was torn down and on the ground and ceiling and everything was exposed, I thought that was opening us up to litigation because you wanted to stop at the wrong time". Commissioner Hinson said it stopped the process and Chair Taylor said yes. She added she did not want to get bogged down in it, move on, it got done.

Commissioner Viegbesie asked Mr. Presnell if they had any arrangement in place for garbage pick-up and disposal if the community decided to pick-up trash along the road. He added that yesterday the citizens of St. Hebron picked up trash all along St. Hebron Road and there were bags of trash piled up. Mr. Presnell said yes, if it was a community clean-up, let him of the Public Works Director know and would cooperate.

Commissioner Viegbesie then asked about Dr. Hart's services in Gadsden County and asked how they were with the timeline of her starting the diabetes services using the approved contract. Mr. Presnell said she could start the past Saturday.

COMMISSIONER VIEGBESIE MADE A MOTION FOR A RESOLUTION IN RECOGNITION OF THE QUINSENTIAL QUINCY MONTICELLO DISTRICT OF THE AFRICAN METHODIST EPISCOPAL

CHURCH THAT WAS HOSTING THE ANNUAL CONFERENCE IN QUINCY AND SECOND MADE BY COMMISSIONER HOLT. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS.

Commissioner Holt said when they were discussing the housing issue, "You are totally correct and taking care of it in-house because, and you see me when we are discussing things like that I'm shaking my head because I've been in some situations where the stenographer came in, the opposing attorneys came in, all these legal meetings and whatever you say, the first thing they are going to do is pull that tape and if you imply anything you should not imply, we are going to be in trouble. I think, personal opinion, the Clerk should have taken care of that with the Manager and they should have dealt with the attorney; there was no reason to bring that to this meeting, none whatsoever. Not only do we have to be careful and be careful about being sued, the Clerk should also do the same thing because still no matter whom they sue, they sue us or him or them, it's still the taxpayers' money, it's not our money. But there are certain things you don't take care of in front of a camera and that was one that should have not been taken care of at that point".

Commissioner Viegbesie stepped out at this juncture of the meeting.

Commissioner Holt continued "But that's why you see me sometimes, Commissioner Hinson, when I'm doing like this (shaking head), it's because we've had those attorneys come in here and say 'You're being sued, here's your paperwork' and they beat you half to death in the Courtroom and you think you've stole something by the time they get through. But that's why if it can be taken care of, the Clerk needs to work with the Manager and ah, come to his office and that's how it should be done, it should be taken care of there. If he needs to come to an open meeting, then we should bring it to an open meeting and the Clerk needs to have his Attorney and we need to have ours and they need to have some say-so in the (inaudible). But, thank you very much."

Chair Taylor said an update regarding the Health Initiative Mr. Presnell was on and would like it to be agendaed in March and keep it in front of them.

She asked for an update on the Senior Citizens and saw there was a meeting today. Mr. Presnell said he had the Health Coaching at the same time and was unable to go.

She said with regards to the Attorney's contract going forward, she was serious with things being turned around a little quicker.

Commissioner Hinson asked about Big Bend Transit and said there had been suggestions in the community to see if they could get the bus moving earlier; it currently leaves at 8:00 a.m. and would like to see if it could leave earlier and have an additional stop at the 10/90 Park. Commissioner Holt asked if he meant the in county route or outside and Commissioner Hinson said both.

Commissioner Hinson said he was at a lady's house in Midway and there was bears there and thanked Mr. Presnell for taking care of it. He said there was also a problem with Waste Pro not coming onto privately maintained roads to pick up trash and some older ladies had issues in Havana and Concord said they did not mind paying for the trash but were having a problem getting the trash can to the top of the road.

COUNTY ATTORNEY

17. Update on Various Legal Issues

Mr. Weiss thanked the Board for allowing him to continue representing them.

Receipt and File

18. Emergency Management Quarterly Report

19. Letter from FDOT

20. Letter from FDOT

UPCOMING MEETINGS

21. January 3, 2017-Regular Meeting – 6:00 p.m.

Gadsden County Board of County Commissioners
January 17, 2017-Regular Meeting

MOTION TO ADJOURN

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR TAYLOR DECLARED IT
ADJOURNED AT 9:43 P.M.**

GADSDEN COUNTY, FLORIDA

**SHERRIE D. TAYLOR, Chair
Board of County Commissioners**

ATTEST:

NICHOLAS THOMAS, Clerk