

AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON FEBRUARY 7, 2017 AT 6:00 P.M.,
THE FOLLOWING PROCEEDING WAS HELD, VIZ:

Present: Sherrie Taylor, Chair, District 5
Eric Hinson, Vice Chair, District 1-arrived late
Dr. Anthony "Dr. V" Viegbesie, District 2
Gene Morgan, District 3-absent
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., asked everyone to stand for the Prayer and then led in the Pledge of Allegiance to the U. S. Flag. A silent roll call was taken by Deputy Clerk, Marcella Blocker.

Commissioner Hinson arrived at this juncture of the meeting.

AMENDMENTS AND APPROVAL OF AGENDA

Mr. Presnell said he had no amendments to the Agenda tonight.

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

AWARDS, PRESENTATIONS AND APPEARANCES

There were no awards or presentations tonight.

CLERK OF COURTS

Mr. Thomas was present and had nothing to report.

DISCUSSION ITEMS BY COMMISSIONERS

1. Report and Discussion of Public Issues

Commissioner Brenda A. Holt, District 4

Commissioner Holt said she attended the Marijuana workshop held in Orlando and said the County would have to handle everything dealing with permitting inside the County because the State would only approve the license; how far apart or together they were located, where they could be. She added there would be no jurisdiction over the cities. She also said Emergency Management would need to know what types of chemicals were used in the facility in case of fire. She said some Counties have a moratorium so they could get this included in their Comp Plan on how they would administer if someone asked for a permit to put in a dispensary or a grower. She said if they did not, it could go into a commercial district. She also said the businesses must be upward vertical permitted and meant that the grower, dispenser, everything was licensed by that

individual or company.

Mr. Presnell said the area had been assigned to a certain grower and the County was lucky to have that grower here and had a distributor, which was a subsidiary and said from what was said to him was not interested in a store being in the rural area and had to be close to the population center and doctors, etc. He added under current law no-one was probably interested distributing this unless it was expanded.

Chair Taylor said very good points were being brought up and they may need an Ordinance or something written up as part of Policies and Procedures and suggested to have the Attorney vet this matter and FAC may be resource that could be used. She added they needed to be pro-active instead of reactive.

Mr. Weiss said a lot of counties or municipalities were imposing moratoriums. He added it was expected to be addressed by Legislature in this session and mostly was going to be location regulation. He said they may want to consider imposing a moratorium and see what comes from this session and then develop regulation.

Chair Taylor suggested having this matter agendaed.

Commissioner Holt said Alachua County already has a limit use policy in place. She added as long as no moratorium in place, it had to be treated like any other business coming in. She further stated she thought it would be more noise control, traffic, parking, zoning, the Emergency Management pieces and set-backs.

Commissioner Anthony "Dr. V" Viegbesie, District 2

Commissioner Viegbesie said some things Commissioner Holt addressed was what he had because he stood up and asked a number of questions for clarity. He added the event was put together by FAC and they were very involved. He stated we were a major participant in the industry. He suggested they organize a Public Information session to educate the citizens on what this was all about and would help the citizens to understand the do's and don'ts by enlightening them so they were not confused and did not get themselves in trouble. He also said they needed to provide knowledge on who the product was helping. He added they needed to look into how to generate revenues to help defray costs so they would not come directly from taxpayers. He added they could contact FL Dept. of Health, Office of Compassionate Use director, Christian Backs, and they were willing to come and provide answers.

Commissioner Holt said there were a couple more things she needed to bring up. She said this was a predominately minority county and she tried to get some farmers to go with her to the Senate Sub-committees to testify to say they were growers and had been farmers for years but were not nursery owners. She added in order to get part of that approval for minority farmers during that time there were twenty-eight in the County, but no-one came to testify and they filed suit afterward. She said they were told in the Workshop if there were any participants in the suit, they still had the opportunity to file for a license for that industry. She also said if a person took Demerol, they would probably take more than what would be included in some of the medicines they would give and said USDA would not be inspecting anything because on the Federal level it was illegal. Another concern she said that was asked about was money laundering and if it was not approved by the Federal government where would the money be kept that was not a federally approved bank and some opened their own bank to do that.

Commissioner Eric Hinson, Vice Chair, District 1

Commissioner Hinson thanked the Board for coming to his District twice; once for the Four Star Freightliner groundbreaking and the other was for the activation of the Concord traffic light. He also asked at any time anyone comes into his District to please let him know so he could be available to meet with them. He explained there was an incident last year that a developer came to his district and he was unaware they were developing anything.

He said he was in Chair Taylor's District at the Pat Thomas Park and it was a beautiful place and felt they needed a better sign on the side of the road directing the public to the park. He said he had received a call regarding where someone could run and walk and was able to resolve it.

He thanked the Board again for the sidewalk that was parallel from Havana Heights up from Havana Senior Citizens and it beautified the whole area.

He said he had two complaints and asked how the Public Works work orders here handled in the District and said he had received a lot of phone calls regarding work orders that were turned in, called in or through emails and for some reason was not being handled and some areas have been eight or nine months. He said there were a lot of complaints in District One with roads not being cleared and trees still around. Mr. Presnell said he would get a print-out and check on it and anytime he gets an individual to please pass it on to him and it would be addressed immediately. He added with the work order system there, they may be out for a couple of weeks, but not months, that was unacceptable. Commissioner Viegbesie asked to speak on that matter and said he had the same issue with a work order being dropped and Ethaline (sp) Cunningham called in a work order to trim limbs that were extending onto the road numerous times and he said he jokingly mentioned it to a Supervisor and it was taken care of.

Commissioner Hinson said they discussed this at the last meeting and with Waste Pro, there were a lot of folks that live on private roads and would like to use their services but Waste Pro will not service private roads. Mr. Presnell said he spoke to Ralph Mills and had sent an email to all the Commissioners afterward and said private roads could be looked at. He added that they evaluate then regarding the truck and if it is a two-rut lane there may be problems going down it. He further stated there was no problem with the truck going down the private road, they ask that people sign a release because the road belonged to them and they wanted to be released from anything that might happen to the road. Commissioner Hinson asked for a number that citizens could call. Mr. Presnell said citizens could call the County administrator's Office at 875-8650, the main office number and they could submit their name or they could call Waste Pro direct to request a road be added to the route.

Commissioner Viegbesie commented that when there are holidays Waste Pro does not pick up trash and if the bill is not paid, they will not pick-up trash. He asked if they give a refund or credit for holidays when the trash was not picked up and was out for two weeks before it was picked up.

Commissioner Hinson asked about pick-up for large and bulky items and asked why it was once a year and not twice. Mr. Presnell said costs mainly and the amount put out by the side of the road was not as much as when the program was first started. He said if the Commissioners felt there was a need for twice a year, it could be addressed. Commissioner Hinson said the reason he asked, Christmas just passed and income tax checks were coming in and there may be a lot of stuff

on the ground a little longer than expected. Commissioner Hinson also said he had a cousin in Hampton Heights that the City of Havana had a right-of-way to her land, but behind her house, the City had to give the County permission to clear it. He said a lot of people have been throwing trash back there along with large items and every time he visits, she brings the matter up. .

Commissioner Holt said she hated to see items along the side of road and individual property owners need to take trash to the dump because it looked bad and asked why the City of Havana would not clean his cousin's easement. Commissioner Hinson said he did not know what the issue was there and it was in Hampton Heights behind her house and the City owned the gas easement. Mr. Presnell said he could not remember if the City owned the easement or the homeowners but he would get with Curtis Young and look into the matter.

Commissioner Gene Morgan, District 3

Commissioner Sherrie D. Taylor, Chair, District 5

Chair Taylor said there were too many different questions that had come up regarding Waste Pro and suggested they have someone come address the concerns before the Board soon.

She said regarding the issue with work orders at Public Works, Mr. Young needed to come address those concerns to ensure no-one had to wait several months on anything.

She said the Crappie tournament was excellent and well attended.

She said with GCDC/Chamber of Commerce, she did mention looking at economic development in-house and putting a new look on trying to move forward with economic development efforts and they could address this at budget time.

She said they discussed Emergency Management and the grant writer and Commissioner Hinson had great information and wanted to make sure if the Department was moved, there would be funding and if it could be placed in a building that had more sophisticated technology and be more beneficial she would like to look into it.

CONSENT

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

2. Ratification to Pay County Bills
3. Approval of Minutes
 - a. June 16, 2016 BOCC/City of Midway Joint Workshop
 - b. December 6, 2016-Regular Meeting

ITEMS PULLED FOR DISCUSSION

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

PUBLIC HEARINGS

5. PUBLIC HEARING-Adoption of Ordinance No. 2017-002, an Ordinance of the Board of County Commissioners of Gadsden County, Florida, prohibiting well stimulation for oil and gas exploration or production; 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

Mr. Presnell introduced the above item and said this Public Hearing was before them for consideration of adoption of an ordinance prohibiting well stimulation for oil and gas exploration or production, such as hydraulic fracturing, acid fracturing, etc.

Mr. Weiss said was the was fairly self-explanatory and would prohibit any type of well stimulation for oil and gas and if adopted would ban any type of fracking throughout the County including the .municipalities

Leigh Brooks, 37 West Brent Street, Chattahoochee, FL appeared before the Board and said she supported the Board passing this Ordinance and it would help protect the waters in the County and State.

Commissioner Viegbesie said he thought this had been addressed previously.

UPON MOTION BY COMMISSIONER VIEGBESIE TO ADOPT THE ATTACHED ORDINANCE AND TO AUTHORIZE CHAIR TO SIGN AND SECOND MADE BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.

GENERAL BUSINESS

6. Justice Assistance Grant (JAG) County Wide Program Sub-grant

Mr. Presnell introduced the above item and said it was for approval and for authorization for the Chair to sign the contract.

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

7. Approval of Adopt-A-Road Agreement with Mr. Kenny Russell

Mr. Presnell introduced the above item and said it was for approval of the Adopt-A-Road agreement with Mr. Kenny Russell on McCall Bridge Road.

UPON MOTION BY COMMISSIONER VIEGBESIE FOR APPROVAL OF OPTION ONE AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.

8. Approval to Dispose of Surplus Property and Equipment

Mr. Presnell introduced the above item and said this was previously before the Board and was for approval to dispose of surplus property and equipment that were obsolete, damaged and had no useful value and in particular it involved computers at the Health Department. He added that the IT Department had inspected the computers and found that the hard drives had been removed

prior to them being surplused and sent to the Department of Health.

COMMISSIONER VIEGBESIE MADE A MOTION FOR APPROVAL OF OPTION ONE AND COMMISSIONER HOLT MADE THE SECOND. COMMISSIONER HINSON HAD QUESTIONS.

Commissioner Hinson said he asked that this be pulled from the previous meeting and said his questions was about the hard drives being cleaned. Mr. Presnell explained the Department of Health removed the hard drives and had them ground up because of personal information on them because they contained medical and personal information on them. Commissioner Hinson asked what was remaining of the computers.

Kimbrew Jackson, IT Operations Manager appeared before the Board and said the computers that were set for disposal were older computers and would not have the processing power to handle Windows 10 and hard drives and licensing would have to be purchased and would place a burden on someone rather than help them. Commissioner Hinson said he was trying to figure this out because they were talking about health, education and everything else and he talked to a few non-profit people throughout the County concerning this and asked if there was no way someone could use the computers. Mr. Jackson explained someone would be looking at roughly \$300-\$400 per computer cost burden on refurbishing the computers and a new one could be purchased for the same costs. Commissioner Hinson asked what kind of computer it was and Mr. Jackson explained they were older computers. Commissioner Hinson then asked the names of the computers. Mr. Jackson said some were Dell, some were HP...

Chair Taylor said when they were sold there would be revenue and revenue may could be used to purchase new ones if he wanted to designate that. Commissioner Hinson asked how many computers there were and Mr. Jackson said they were shrink-wrapped in pallets and not entirely sure how many. Commissioner Hinson said he really wanted to help the community out and too many churches needed computers. Mr. Presnell said his understanding was it was now just a monitor and shell with the guts taken out and Mr. Jackson agreed. Chair Taylor asked if they would be sold and Mr. Jackson said they would be auctioned. Chair Taylor asked what would happen with the revenue and Mr. Presnell said it would go into General Funds. Commissioner Hinson asked when the auction would be and Mr. Presnell said if this was approved tonight it would be set up. Commissioner Hinson asked to be notified when the auction would be. He said he knew they were doing the right thing but he felt great about it and when he was with the School Board they were trying to get rid of a bunch of computers and there were a lot of people in the community, churches, non-profits, etc., that needed them and this was a way to help them out. He then asked when did they "gut the hard drives out" and Mr. Presnell explained the County did not do that, the State Department of Health did it. He asked when that way and Mr. Presnell explained before the County was notified they were available for surplus. He clarified when they bought equipment, even with State revenues, they become the property of the County in the Health Department and they pulled the hard drives because of HIPPA regulations and ground them up. They then notified us because they had equipment to dispose of. Commissioner Hinson asked where the computers were located now and Mr. Presnell said the Health Department.

Commissioner Viegbesie said it was his understanding there was really no computers because the hard drive was out and that was what operated the computer and Mr. Jackson agreed. Commissioner Viegbesie continued and said the hard drives were taken out because they possibly contained peoples' health information that they did not want out for the public and with the hard

drive out all there was was just the casing and it was now a paperweight. He also said with what he was hearing, it would be better to buy a new one with a hard drive with a warranty and would have more hardware that was up to date and Mr. Jackson agreed.

Commissioner Holt said to Commissioner Hinson when the County did surplus they would have total control and may be ideal when they surplus computers to look at them then on giving to non-profits and churches.

Mr. Presnell asked Mr. Jackson with the County computers, could the hard drives be cleaned enough so they would be safe enough to be given to a non-profit organization? Mr. Jackson said they ran into the issue of licensing, there were only a certain number of licenses for the operating system. He said if a private individual wanted to purchase a license, they could do so but with them being a County entity, they had an agreement with Microsoft that if they installed the licenses on more computers that they had, at the end of the year they had to settle up with Microsoft and pay for the licenses. He added the non-profits had the ability to purchase licenses at a cheaper costs and the computers were from the early 2000's and technology moves in leaps and bounds and something made then would not handle Windows 7, 8 or 10.

CHAIR TAYLOR CALLED FOR THE VOTE AND SAID THERE WAS A MOTION AND SECOND TO DISPOSE AND THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE.

9. Approval of Architectural Firm for Design of the Courthouse Renovation

Mr. Presnell introduced the above item and said it was for Board approval for Staff to negotiate with the top ranked Architectural firm for the design of the Courthouse Renovation and added CRA Architects was the top-ranked firm.

COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE OPTION ONE AND CHAIR TAYLOR MADE SECOND FOR DISCUSSION AND THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.

Commissioner Hinson said he saw only two people on the committee that monitored the bid. Mr. Presnell brought Clyde Collins up to explain the bid process.

Clyde Collins, Building Official, appeared before the Board to address the questions raised. He said there were four people on committee, himself, Joe Munroe the Courthouse historian, Roosevelt Morris Deputy Building Inspector & Joel Sampson, a local architect. Mr. Presnell explained Joel Sampson withdrew himself from the process to help oversee and because this was a historical grant there were certain criteria that had to be met. Mr. Collins said Mr. Sampson felt he would be better suited to help get everything set-up for the Courthouse

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

Mr. Presnell went to introduce the above item.

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

11. Approval and Signature(s) for Satisfaction of Special Assessment Lien SHIP Down Payment and

Closing Cost Program

Mr. Presnell introduced the above item

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

12. Bettstown Road-Bid Award

Mr. Presnell introduced the above item.

COMMISSIOENR VIEGBESIE MADE A MOTION TO APPROVE THE ABOVE ITEM AND COMMISSIONER HOLT MADE THE SECOND. CHAIR TAYLOR HAD A QUESTION.

Chair Taylor asked where Bettstown was located off of 60B off of the Attapulugus Highway and located in District 4.

Commissioner Hinson said he noticed again there were only had two people with the County present on the bidding process. Mr. Presnell said when bids were opened, usually Shelia with the Purchasing Department and Jeff Price are there and if it was a big bid he would sit in sometimes and It was just opening the envelopes and reading out the numbers.

Commissioner Holt said if that was a concern for the Commissioner, did he have a suggestion? Commissioner Hinson said personally he felt there should be three or more and an odd number and was curious why the Public Works Director was not at the bid opening. Mr. Presnell said he's always invited and was there at times, depending on his schedule.

Commissioner Holt suggested someone from that department be present at bid openings and to make sure there was an odd number.

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

13. Approval of Legal Services Agreement for Gadsden County BOCC

Mr. Presnell introduced the above item and said the contract was "tweaked" a little.

Commissioner Hinson asked how much Mr. Glazer was paid last year and Mr. Presnell said he could get the total amount for him and said he only billed if they had hospital issues. Commissioner Hinson asked if was more work with transportation than the hospital and Mr. Presnell Responded that was why Mr. Glazer was not on the bill every month.

Commissioner Holt asked what the stipulations were on the dollar amount would be now and Mr. Presnell said \$7750 per month was the retainer amount and that applied to the first 50 hours and Mr. Glazer would be separate. Commissioner Holt asked if there was a conflict and the County had to hire another attorney, she wanted to see something in the Contract saying the law firm would represent the County.

Mr. Weiss said with respect to conflicts, he read Section 6 and explained the School Board was the only one other one they were general counsel to and if a conflict arose with anyone else, they would not represent the other side and if the conflict was enough to exhaust the retainer, the

County would be paying same amount of money, if to them or the conflict attorney. He added this came up once and it was a small matter and was handled and did not foresee this as being a problem.

Commissioner Holt asked if a conflict arose and the retainer was gone, what would they pay. Mr. Weiss said for him it was \$185 an hour and for an associate it was \$145 an hour and he tried to utilize associates when able.

Commissioner Holt asked if Deborah Minnis was general counsel for the School Board and if a dispute arose who would represent who? Mr. Weiss said there were rules established by The Florida Bar to cover that matter.

Commissioner Viegbesie said this was the same concern he raised in the interview process and knew it had never happened and that the Chair used the term earlier "what if" and they have voted for this law firm but they needed to have in the contract the aspect of the possibility of it happening no matter how slim.

Chair Taylor said both commissioners were correct and if a conflict occurs, the possibility of the retainer could be exhausted. She added they needed to have it spelled out in the contract that said if there were conflicts between this body and the other body that they were General Counsel for; they had the right of refusal of taking on new counsel and have the responsibility of Mr. Weiss doing his due diligence he was hired to do.

Mr. Weiss said if there were a serious litigation matter that came up, he could continue representing the County because the day to day stuff would not stop and the retainer would be exhausted. He added if a matter arose, it would still be approved by the Administrator and the Board and they would have the opportunity to establish what firm to use.

Commissioner Viegbesie said given what had been discussed he was inclined to pull this item until that language with regard to the conflict of interest was included

COMMISSIONER VIEGBESIE MADE A MOTION TO TABLE THIS ITEM UNTIL LANGUAGE WAS INCLUDED AND BROUGHT BACK TO THE BOARD AND SECOND WAS MADE BY COMMISSIONER HOLT WITH A COMMENT.

Commissioner Holt said she was happy they did this and that was why she voted against the law firm.

Mr. Weiss said he wanted to make sure the Board was completely comfortable with the language and asked for clarification so when he addresses this, it was addressed appropriately. Chair Taylor said she threw out the Right of First Refusal and said if there was a conflict, she asked that the Board be given first right to say they wanted the firm or if they wanted a different firm.

Commissioner Viegbesie said that was the right path and if they married that with the concern of Commissioner Holt and would rather they had their General Counsel working with them in case of litigation than them hiring another law firm.

Mr. Weiss said there were rules with The Florida Bar regulating conflicts.

Commissioner Holt said she watched the Supreme Court every day they were in session and Judges, lawyers and County Commissioners go to jail every day.

CHAIR TAYLOR CALLED FOR THE VOTE ON TABLING THIS ITEM AND THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE IT.

14. Approval and Acceptance of the Warranty Deed from TK Enterprises of N. Florida, Inc., and the dedication of the road and right-of-way on the property described in the deed for the construction and maintenance of a paved public roadway and infrastructure for utilities from Brickyard Road, and instruction for the Clerk to record the deed with a copy of the minutes showing approval and acceptance

Mr. Presnell introduced the above item and said it was for Board approval and acceptance of the Warranty Deed from TK Enterprises of N. Florida, Inc. and the dedication of the road and right-of-way on the property described for the construction and maintenance of a paved public road and infrastructure for utilities from Brickyard Road.

Commissioner Hinson said the County was awarded a grant for \$375,585 from the State of Florida, Department of Economic Opportunity Rural Infrastructure Fund to fund the construction of the paved public road and utility infrastructure. He also said the project included a \$2.5 million capital investment and the retention of 18 employees and addition of 10 jobs at an average wage of \$50,000 and this would help the tax roll.

Chair Taylor said she hoped they would give individuals with a background a chance and they had paid their debt to society.

Commissioner Viegbesie said he thought that was what "Ban the Box" was about.

Mr. Weiss said they could not tell private corporations who they could hire but might could be certain things they could do in contracting with private entities to help the situation if their procurement policy allowed them to do so.

Commissioner Taylor said each bidder was given a packet and based in information submitted by the bidder they get points. She said if there was one item that said if they were willing to waive the box, you could get 2-3 points, they can do that on the bid spec as a point incentive, and it would not hold their feet to fire other than to get their points higher.

Commissioner Holt thanked the owner of the business for coming and said they had worked on him for a few years to come and she also thanked the GCDC because they wrote the grant for the access road and utility hook-up and wanted them to hire local people. She also added that Representative Alexander had legislation coming forth to address how to give incentives on hiring people that had served time.

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

15. Approval and exception of Joinder of Written Consent to First Amendment to the Declaration of Covenants, Conditions and Restrictions of Carmen Maria

Mr. Presnell introduced the above item and said it was for approval and authorization for the Chair to execute a Joinder of Written Consent to the First Amendment to the Declaration of Covenants, Conditions and Restrictions of Carmen Maria.

COMMISSIONER HOLT MADE A MOTION TO APPROVE AND SECOND MADE BY COMMISSIONER VIEGBESIE. COMMISSIONER HINSON HAD QUESTIONS.

Commissioner Hinson asked if mobile homes would be allowed and Mr. Weiss said they could not discriminate against housing types based solely on housing, but there were still code compliances and private covenants and restrictions. Mr. Weiss also said it was his understanding there were no developed lots in this subdivision. Mr. Presnell added if there were one site-built home in the subdivision, this would not have come before the Board.

Commissioner Viegbesie said his understanding was even though they authorized mobile homes, the subdivision had restrictive ordinances that they may not be able to bring.

Mr. Weiss added there were separate layers of regulations and also homeowner associations who could regulate to allow mobile homes or not.

Commissioner Holt said it was good to clarify this because of past history.

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

COUNTY ADMINISTRATOR

16. Update on Various Board Requests

Mr. Presnell said while in the meeting a bad storm came through and trees were down, there were power outages, and a fire in Gretna.

Mr. Presnell asked for approval of a Proclamation for a Powertalk 21 Mothers Against Drunk Driving for National Day for Parents to begin ongoing conversation with kids about alcohol.

COMMISSIONER HOLT MADE A MOTION TO APPROVE AND COMMISSIONER VIEGGESIE MADE THE SECOND. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.

UPON MOTION BY COMMISSIONER HINSON FOR A PROCLAMATION OR RESOLUTION FOR UPCOMING EVENT HONORING THE AKA'S AND WOULD SEND INFORMATION TO THE ADMINISTRATOR AND COMMISSIONER VIEGBESIE MADE THE SECOND. THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THEIS ITEM.

Commissioner Viegbesie said they did not need to bring Resolutions before the Board for approval for bereavements and was the only one that did not need to come before the Board.

Mr. Presnell said regarding the earlier conversation on Waste Pro, their number was 850-561-0800.

Mr. Presnell said the joint meeting with the School Board was set for March 9th at 6:00 p.m.at the

School Board meeting room.

Mr. Presnell reminded Commissioner Hinson to get with him regarding his Planning Commission appointment.

He told Commissioner Viegbesie that during the grants presentation there was a thing regarding the oral history project and they were able this week to make a request to the State Historical Board about some assistance from them.

He informed them the joint meeting with the Town of Greensboro would be going to their Board on the 13th to approve the joint meeting.

He said on February 20th in the Commission Meeting Room would be the Delegation meeting at 6:00 p.m.

Commissioner Holt asked the reason for the meeting because the list had already been submitted.

He said the Public Safety Coordinating Council would be February 24th at 10:00.

He said with the Crappie Tournament mentioned earlier they had 51 teams to enter.

Commissioner Viegbesie asked the Administrator for an update on the succession plan timeline as well as the Phase III of the County Road projects in the districts and where they were on the timeline with what was in place now. He said the person at the Florida Managers Association asked for meeting dates and would be very soon.

Mr. Presnell said Curtis Young was present now and asked him to come forward regarding the Phase III paving project and they could ask him about the work orders.

Curtis Young, Public Works Director appeared before the Board. He said he talked with the Contractor last week and they were supposed to start tomorrow on Phase III but due to the weather tonight, would not be happening. Commissioner Viegbesie asked about the issue with Deerfield Circle and the problem with the reflector bleeding through the roads that made it look like cracks were in it and if there was anything in the contract that would require a process to reduce the possibility of the appearance of cracks. Mr. Young said he needed to ride out and take a look for himself.

Justin Ford, engineer with Dewberry/Preble Rish, appeared before the Board to address the reflective/cracking questions and said there was nothing in the plans that addressed reflective cracking and crack relief was a fairly expensive process and was a another layer of asphalt that had to be laid down to prevent the majority of the reflective cracking to come through.

Curtis Young reappeared before the Board. Commissioner Hinson thanked Public Works for repairing the roads and putting the sidewalk in front of Havana Heights and then had complaints regarding work orders and some were pending for years. He said he put in a work order regarding a tree that was leaning on Gibson Road. Mr. Young said he was unsure what individual Commissioner Hinson was talking about but he went there personally the same day to take care of it. Commissioner Hinson asked when that was and Mr. Young said the said day they discussed it.

Mr. Young said the tree may be leaning towards the road but they could not go onto private property, they could only maintain the right-of-way. Commissioner Hinson said he would take pictures to show, but the tree was leaning downward and was leaning and now a second tree was leaning and said if the tree fell, someone would be dead. Mr. Young explained again they could not go onto private property. Commissioner Hinson said the tree was out of the ground and the tree was leaning over the road. Commissioner Hinson then said there were a lot of other complaints and people throughout his district said they had put in work orders and asked Mr. Young to check the work orders for District One. Mr. Young said there were quite a few orders for there where people were requesting ditch dirt but with them building up the roads it was hard for them to deliver the dirt because they only had eight dump trucks. Commissioner Hinson pointed out they had not built a road in almost eight months. Mr. Young said the way they give the dirt away, when they were working in the area digging ditches, they would give it to someone in the area. Commissioner Hinson said it had been a while since they had done roadwork and the people trusted them. He added if he told someone something, he did it. Commissioner Hinson said someone called him six months ago and when he went to them himself, sent an email or whatever, you expected within 2-3 weeks, something to be done. He added he was unsure of what level of respect was going on for a Commissioner but when he is continually asked and he sees that it still was not done and it should not take 2-3 years to get dirt to someone's house. He said he had been trying to "cover up but since we gonna try to be funny about things, when you go down these dirt roads here and go to the ditches in the areas and they are not being cleared out and those folks looking at that kinda stuff, to be honest now, it's a dissatisfaction to our constituents more so than anything else. To be honest Mr. Presnell, we need to, cause I'm not gonna let nobody dog me out, my constituents dog me out. I tell people I can't talk to nobody else in the room but you. So I'm going through again and in two weeks from now, I'm coming back again, every Board meeting we gonna continue to go through because people gonna know personally that I'm fighting for them and in my job, it's not a joke, it's not a game. My job is to take care of the people in my district because I don't see no laughing matter with you deal with my constituents. My constituents know that I gonna fight for them. When a man who 86-87 years old comes to me and I give him my work, I expect him to understand that and I expect if you tell me Mr. Presnell you gonna do it, I expect you to do it. I don't need you coming back two years later telling me that well, this, that and the other. We pay you \$150,000 to get the job done and so that's how I look at it. Two weeks later, I'm gonna take pictures myself and gonna bring it to you." Mr. Presnell said if he would forward these particular complaints to him...the conversation started to get heated and Chair Taylor called for order. She said this would be resolved, it had been said they would visit the site and as long as they were within the law, it would be done.

Commissioner Viegbesie wanted it entered into record there was a hearing tomorrow in the Knox building Room 212 to discuss a proposed bill CCS1 relating to economic programs specifically a proposal to eliminate Enterprise Florida and Visit Florida, which was aspects of GCDC venue for some projects.

Commissioner Holt said it was very important to take time to attend.

She also said that Congressman Lawson would be at the Library on Thursday afternoon at 1:00 p.m.

17. Update on Various Legal Issues

Receipt and File

18.
 - a. Resolutions from the BOCC for County Residents Funerals
 - b. SBSC QtrRpt December 2016
 - c. Florida Department of Health-Gadsden Quarterly Progress Report
 - d. Resolution 2017-02-A Resolution of the Town of Greensboro, Florida Adopting the Local Mitigation Strategy

UPCOMING MEETINGS

19. February 21, 2017-Regular Meeting – 6:00 p.m.

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR TAYLOR DECLARED THE MEETING ADJOURNED AT 8:26 P.M.

GADSDEN COUNTY, FLORIDA

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

ATTEST:

NICHOLAS THOMAS, Clerk