

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS IN AND FOR GADSDEN COUNTY,
FLORIDA HELD ON JUNE 4, 2019 AT 6:00 P.M., THE
FOLLOWING PROCEEDING WAS HAD, VIZ:**

Present: **Dr. Anthony “Dr. V” Viegbesie, Chair, District 2**
 Sherrie Taylor, Vice Chair, District 5
 Eric Hinson, District 2-appeared by phone
 Gene Morgan, District 3
 Brenda Holt, District 4
 Arthur Lawson, Interim County Administrator
 Nicholas Thomas, Clerk of Court
 David Weiss, County Attorney
 Marcella Blocker, Deputy Clerk

INVOCATION, PLEDGE OF ALLEGIANCE

Chair Viegbesie called the meeting to order at 6:00 p.m. and asked everyone to mute their phone. He asked everyone to stand for the Invocation.

Pastor Barry Young, Second Elizabeth Missionary Baptist Church, Quincy, FL, gave the invocation and Chair Viegbesie then led in the Pledge of Allegiance to the U. S. Flag.

AMENDMENTS AND APPROVAL OF AGENDA

Mr. Lawson asked that the Board reverse /items 11 & 12 with Item 12 coming first and said they were both dealing with the Grant for the Courthouse and they wanted to approve the Grant first before approving monies for the contract for the renovations. He said they would also like to pull Item 5 from the Agenda.

Commissioner Taylor said Congressman Lawson would be calling in and wanted to speak with the Board with regards to appropriations from last evening and asked that to go on the Agenda. Chair Viegbesie said they would add to wherever necessary when he calls in.

Commissioner Morgan asked if that was for information only and was told yes.

Mr. Lawson asked if all the Commissioners received the additional item for Item 12 and they said yes.

COMMISSIONER HOLT MADE A MOTION FOR APPROVAL OF THE AGENDA AS AMENDED AND COMMISSIONER MORGAN MADE THE SECOND. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

AWARDS, PRESENTATIONS AND APPEARANCES

CONSENT

COMMISSIONER HOLT MADE A MOTION TO APPROVE AND COMMISSIONER MORGAN MADE THE SECOND. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

- 1. Ratification Memo**
- 2. Approval of Minutes**

a. **April 16, 2019-Regular Meeting Minutes**

ITEMS PULLED FOR DISCUSSION

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

PUBLIC HEARINGS

3. Public Hearing- Adoption of Ordinance 2019-007, An Ordinance of the Board of County Commissioners of Gadsden County, FL amending the Economic Development Ad Valorem Tax Exemption Ordinance of Gadsden County, FL, Ordinance No. 2012-003, as amended by Ordinance No. 2015-005, currently codified at Chapter 74, Article I, Section 5 of the Gadsden County Code of Ordinances, to include additional Statutory definitions of “new business” and “expansion of an existing business” to allow additional businesses to potentially qualify for the exemption; 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. Lawson introduced the above item and said it sought adoption of an Ordinance amending the Economic Development Ad Valorem Tax Exemption Ordinance to include additional statutory definitions of “new business” and “expansion of an existing business” to allow additional businesses to potentially qualify for the exemption.

Mr. Weiss said the amendment was to include additional definitions of the terms “new business” and “expansion of an existing business” and would allow additional businesses to potentially qualify for this exemption. He added that this Ordinance was originally adopted in 2012 and was amended in 2015.

Chair Viegbesie announced this was a Public Hearing and asked if there were any comments from public and there were none.

Commissioner Taylor asked about the exemptions and Mr. Weiss explained.

Chair Viegbesie asked if the tax exemption was only on capital projects and not on hiring and Mr. Weiss said yes, they were only exempting the ad valorem tax. Mr. Weiss said before they would grant anything, it would go the Property Appraiser.

Commissioner Taylor stepped out 6:14 p.m.

Commissioner Morgan said the Property Appraiser did not have the authority to grant the ad valorem tax exemption. He asked what documentation they had to see what potential fiscal impact this might bring to the County. He said he certainly wanted to embrace the opportunity to positively impact any type of activity that would be positive economic development but he wanted to look at this decision to see how it could fiscally impact the County. He also asked if the granting was at Board discretion and Mr. Weiss said yes.

Commissioner Taylor returned at 6:15 p.m.

Commissioner Holt pointed out there was a list of Application Procedures on Page 8 of what the

new businesses would have to do and she saw this as a positive because the incentive was there. She also mentioned that as soon as this was put in place, they needed to start looking at enticing businesses to come and offering them the tax exemption

Chair Viegbesie had questions regarding the process and Mr. Weiss responded.

Commissioner Taylor asked about the percentage and if there would be guidelines to guide them as to what to approve. Mr. Weiss said there was currently not and was at their discretion. She added that there was too much unknown and this was not clear.

Commissioner Morgan said what they were discussing was loosening the terms and definitions they have within the model for granting ad valorem tax exemptions. He said that means as a Board, they will need to be much more cognizant of those coming before them requesting this, understanding how this might be a great opportunity and may possibly impact economic development efforts and understanding there might be times it did not make sense. He said they also have to understand it comes in a period of a ten year span and has to go before the public in the form of a referendum every 10 years. He said he would like to see more documentation showing the potential impact. He said if the majority of the Board wanted to move forward, he had no issue with it but with the understanding they were going to have to understand as the opportunities were brought before them.

Commissioner Holt said perimeters were set in in place a few years ago.

Beth Chiccetti, Executive Director, Gadsden County Development Council, appeared before the Board to expound on this Ordinance. She said GCDC invested in the modeling tool should they have a prospect that was looking to take advantage of any one of the tools.

Commissioner Holt said this was a good plan but they need to review it and make sure they have everything in it that the County wants.

Commissioner Taylor said she disagreed with Commissioner Morgan with the option to approve or deny some and that could bring up litigation issues. She asked if there was a point system in place that would give the system more merit. She said she knew there was a point system there when they had \$1 Million out there but was so outlandish that no-one really qualified for it and was hard to make it available for businesses.

COMMISSIONER HOLT MADE A MOTION TO APPROVE AND COMMISSIONER MORGAN MADE THE SECOND. THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE. COMMISSIONER TAYLOR AND COMMISSIONER HINSON OPPOSED.

4. Public Hearing-Adoption of Ordinance No. 2019-008, Adopting Procedures and Criteria to Consider Acquisition of Property Interests in and Acceptance of Maintenance Responsibility for Certain Private Roadways in the Unincorporated Area of the County under Certain Conditions

Mr. Lawson introduced the above item and said it was the adoption of Ordinance No. 2019-008 adopting Procedures and Criteria to Consider Acquisition of Property Interests in and Acceptance of Maintenance Responsibility for Certain Private Roadways in Unincorporated Areas.

Chair Viegbesie announced this was a public hearing and asked if anyone had any comments and

there was no-one.

Mr. Weiss elaborated on the item and stated in 2014 the Board adopted an Ordinance with certain criteria to consider acquisition of certain private roadways for maintenance responsibility under certain conditions. He said the Ordinance did sunset and this Ordinance was identical to the one that did sunset and gave the Board a vehicle to consider if all the property owners on a roadway signed a petition to come before the Board to give their road to make it a public road and for the Board to consider it.

COMMISSIONER HINSON MADE A MOTION TO APPROVE AND CHAIR VIEGBESIE MADE THE SECOND AND COMMISSIONER MORGAN HAD A QUESTION.

Commissioner Morgan said if he understood, there was no change to what was before them from the previous ordinance that was in place and Mr. Weiss said that was correct with the exception there was no sunset in place. Commissioner said it would take 100% of the property owners to approve this and it would have to meet the same requirements as earlier before it could be considered by the Board and Mr. Weiss said that was correct.

CHAIR VIEGBESIE CALLED FOR THE VOTE. THE BOARD VOTED 4-1 BY VOICE VOTE. COMMISSIONER TAYLOR OPPOSED.

Commissioner Taylor asked if this was same that was in place as before and was told yes. She said with this in place with the same criteria, it did not help ones that lived on private roads at all. Commissioner Hinson said he agreed with Commissioner Taylor but made the motion to move it forward and when it was time for him to speak maybe he could bring it back up.

Mr. Weiss said they looked historically at making amendments to this and there are some that could be made and they have to make sure the County has the right and the authority to approve the road. He also said he was asked to bring this back as it was and if it was the will of the Board to try to make some changes within the confines of the law to make it a little easier to take advantage of, he was happy to work on that.

Commissioner Holt said in the past they have had roads with oak tree in middle of a road and roads that went behind someone's house. She said this had to be looked at from different vantage points.

Commissioner Morgan stepped out at 6:43 p.m.

Commissioner Holt said they have to look at everything before they could tell people they could do it.

GENERAL BUSINESS

5. ~~Approval of Settlement and Release in the Price v. Gadsden County~~

Item pulled

6. Bell Road SCRAP Supplemental Agreement

Mr. Lawson introduced the above item and said it was for approval of a Supplemental Agreement

with FDOT for the Bell Road SCRAP Agreement and said the road came in over the amount that was allocated and FDOT agreed to fund the difference. He said this was for approval for them to fund the difference and to amend the contract.

Commissioner Morgan returned at 6:44 p.m.

COMMISSIONER HOLT MADE A MOTION TO APPROVE AND COMMISSIONER HINSON MADE THE SECOND. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

7. 2018 Statewide Mutual Aid Agreement between the State of Florida Division of Emergency Management and Gadsden County, FL

Mr. Lawson introduced the above item and said it was for approval of the 2018 Statewide Mutual Aid Agreement.

COMMISSIONER HOLT MADE THE MOTION TO APPROVE AND COMMISSIONER MORGAN MADE THE SECOND. THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

8. Approval of Amendment to 2016 Lease Agreement for William M. Inman Agriculture Center

Mr. Lawson introduced the above item and said this was for approval of an amendment to the 2016 Lease Agreement for the William M. Inman Agriculture Center. He said the only change was to remove language that said daily vegetable sales from Section 2.

UPON MOTION BY COMMISSIONER MORGAN FOR OPTION 1 AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

9. Direction Regarding the County Administrator Position

Mr. Lawson introduced the above item and said it was presented for direction regarding the County Administrator's position.

Chair Viegbesie said this was something Board needed to work on because they were currently working with an Interim Administrator and his contract was only for six months.

COMMISSIONER HOLT SAID THERE WERE GUIDELINES IN PLACE AND MADE A MOTION TO APPROVE TO ADVERTISE FOR A COUNTY ADMINISTRATOR AND CHAIR VIEGBESIE MADE THE SECOND. COMMISSIONER MORGAN HAD A QUESTION.

Commissioner Morgan felt they should readdress looking at the current position, duties and requirements they were considering as they move forward and was not in favor of adopting what they currently have in place.

Chair Viegbesie said on July 7, 2016, the Board had a retreat at Creek Entertainment and came up with a list of criteria and the US Bureau of Labor Statistics state their list of criteria was in line with that list.

Commissioner Morgan said obviously several things have changed in the County that would warrant them to go back and readdress what they looked at three years ago in his opinion and any suggestion from any association or other organization did not require them to follow those suggestions. He said there may be some enhancements they may need to make from that as well.

Commissioner Taylor said to move the question.

**CHAIR VIEGBESIE CALLED FOR THE VOTE. THE BOARD VOTED 4-1 BY VOICE VOTE.
COMMISSIONER MORGAN OPPOSED.**

Congressman Lawson phoned in and was recognized by the Chair. Congressman Lawson said Legislation passed last night to help with hurricane relief in North Florida and listed ways it would help. He said recovery for Hurricane Michael was far from over. He said he wanted to give Gadsden County the information that funds were on the way.

Commissioner Taylor said the Congressman did send a supplement and she hit on some of the highlights. Tomato farmers will receive assistance as well as forestry farmers. She also listed other areas of assistance that will be coming.

Commissioner Taylor then asked for a workshop regarding this and asked they invite sister cities in. Chair Viegbesie asked that she make it available to the Clerk and other commissioners and if that money was for the State or the nation.

Commissioner Taylor said the items she read were dollars that were specific for this area.

Commissioner Holt said she received the information also and Commissioner Taylor did a great job. She said if they could get everything in by July 15th, and they will still need to sit down with the School Board and hopefully, if they get some of the money, the process was very important. She said this did not mean that Gadsden County would receive all of the money but they need to submit a list. Commissioner Holt said also whenever the Congressman will be here; it would be important to have a meeting and was sure everyone would show and with the damage, it would be an emergency meeting.

Commissioner Taylor suggested whoever the target department was over at the State, if the Congressman could let them know, because they would be the ones to be setting up the necessary requirements because allocations would be coming through the State.

10. Approval of Fourth Amendment to Gadsden Hospital Lease

Mr. Lawson introduced the above item and said this was for approval for the Fourth Amendment to the Gadsden County Hospital Lease and extend the lease until August 31st.

Mr. Weiss explained this would amend the lease to extend the Notice of Non-Renewal deadline and the extension would allow additional time for negotiations.

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

11. Approval and Execution of Amendment to DOS/DHR Grant No. SC731 Old Courthouse

12. Renovation

Mr. Lawson introduced the above item and said they had agreed to switch Items 11 and 12 and this was for approval and execution of the amendment to DOS/DHR Grant No. SC731 Old Courthouse Renovation. He said this would amend the language and scope of work to include the

refurbishing, refinishing, sealing the exterior steps, water intrusion repair and the majority of the scope was modified because there was quite a bit of water intrusion repair that was required to be done and the contract had to be amended to show the changes in the scope of work.

UPON MOTION TO APPROVE OPTION 1 BY COMMISSIONER MORGAN AND SECOND BY CHAIR VIEGBESIE, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

12. Approval of Contract Amount for Restoration of Old Courthouse

11 Mr. Lawson introduced the above item and said now that they had approved the contract this was to approve the dollar amount with Allstate Construction for the restoration work.

COMMISSIONER HOLT MADE A MOTION TO APPROVE AND COMMISSIONER MORGAN MADE THE SECOND. COMMISSIONER TAYLOR HAD A QUESTION.

Commissioner Taylor asked of the Clerk that this item had to do with construction of the Courthouse and asked if he was familiar with the company. He said he met a few as they were doing some of the surveys around. He said there were sensitive areas because there was an old gas line from an old boiler that was there and there was still a meter and gas line there and they were now aware of it. She said this was long over-due to get started and they were about to lose the funding and asked if there was a “turn dirt” date. Mr. Lawson said the contract had to be approved first and was not certain of the actual date. Commissioner Taylor said this was a time sensitive grant. He also stated the County will have people there to assist as well.

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

CLERK OF COURT

13. Updates

Mr. Thomas said he had nothing specific but was available for questions and there were none.

COUNTY ADMINISTRATOR

14. Updates

Mr. Lawson reminded them of the Safety Fair on Saturday, June 8th from 10-1 at the Bobby Nealy complex;

He said the annual FAC Conference is June 11th- 14th in Orlando;

The next budget workshop is June 20th at 4:00 p.m.;

There will be a notice in the paper concerning the closing of Barack Obama/Atlanta Street closing to work on the roundabout and should take place on June 10th.

Commissioner Taylor thought she saw on the Agenda his contract because she did not recall approving it. The Chair told her it was done. She asked if he could hire and fire. Chair Viegbesie asked the Attorney what he recalled regarding the contract. He said he did not prepare it. Commissioner Taylor asked who did and he responded HR did based on a prior Administrator’s

contract and he did review it and it was very basic in terms of duration and his duties. Chair Viegbesie asked the Deputy Clerk to send her a copy tomorrow.

COUNTY ATTORNEY

15. Updates

Mr. Weiss said he had nothing to report but was available if there were any questions and there were none.

DISCUSSION ITEMS BY COMMISSIONERS

16. Report and Discussion of Public Issues

Commissioner Eric Hinson, District 1

Commissioner Hinson said he has received a lot of phone calls regarding affordable housing and a lot of residents have issues with communication. He said the Clerk brought up last year they had funds and hopefully they could start using that funding.

He said he also concurred with Commissioner Taylor about the contract for the Administrator and they need to make sure they get the right person in place and have the absolute power to fire people and make changes and look out for the employees.

Summer Youth Employment-receiving lots of phone calls about that and prays the Commissioners will have a change of heart.

Library-noticed it was closed last Saturday and asked if there was a reason why. Mr. Lawson said he was not aware it was closed and will find out.

Commissioner Holt left at 7:31 p.m.

Commissioner Gene Morgan, District 3

Commissioner Morgan thanked Mr. Lawson for stepping in and assuming the duties of the County Administrator position while they were look for a permanent Administrator.

He also thanked Congressman Lawson also for his report

Commissioner Brenda Holt, District 4

Commissioner Sherrie Taylor Vice-Chair, District 5

Commissioner Morgan left at 7:33 P.M.

Commissioner Taylor said last week she asked the Board to allow her to do a Resolution and a young lady in the audience saw the way the Commissioners pushed back on allowing her to move forward with the Resolution ...

There was no quorum present at this time.

Chair Viegbesie interrupted and said from the comment the Attorney just made to him, he

understood, for a person's vote to count, the person has to be here physically so...

Mr. Weiss interjected and said "To clarify, it's actually not for a person's vote to count, that's fine, but the issue is in order to have a quorum, for quorum purposes, it's a physical presence".

Commissioner Hinson (appearing by phone) asked how many Commissioners were present and Chair Viegbesie responded there was two and could not do anything without a quorum. Commissioner Hinson stated he could be there in 15 minutes. Commissioner Taylor said she could filibuster that long and "dared" him to make it in 15 and said she currently had the floor. Chair Viegbesie tried to talk and Commissioner Taylor (looking at the attorney) said he needed to stay out. She said for Commissioner Hinson to make it in 10 and she could filibuster that long, she had a lot to talk about. Mr. Weiss said they could not, they needed to end. Chair Viegbesie said the attorney informed him they could no longer hold the meeting because there was no quorum.

The meeting was adjourned by the Chair at 7:33 p.m.

Commissioner Taylor said she was not finished with her comments. Chair Viegbesie said she could go ahead with her comments.

Commissioner Taylor thanked the attorney for what he just did and said she would like to have his contract placed on the next meeting.

(Mr. Weiss stood, trying to stop the comments.)

Commissioner Taylor said she wanted to talk about building inspections and contractors, there were issues going on.

She said last meeting she asked for a Resolution from the Board and a few of the Commissioners that denied that. She said she wanted to do a Resolution for Mrs. Bettye Bryant in her name because it was her district and a young lady that heard the Commissioners say it could not be in her name or on letterhead but she wrote one for her and did an excellent job in putting it together for her.

She said she wanted to bring up the private roads but they adjourned the meeting and did not think it was fair because she did have the floor at least to give her comments. She added that a Commissioner did have the right to add an item, according to Chair Viegbesie, for the Agenda and did not have to have the approval. She wanted the attorney's contract added to the next meeting.

Chair Viegbesie said that was respect not a rule but the final was depending on the County Administrator because they were the one that developed the Agenda if there was room for it. He said if there was, he did not see why a request of a Commissioner should not be added.

Commissioner Anthony "Dr. V" Viegbesie,, Chair, District 2

Receipt and File

17. Documents

UPCOMING MEETINGS

18.

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE CHAIR DECLARED THE MEETING ADJOURNED.

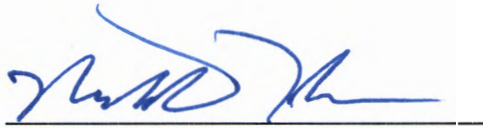
GADSDEN COUNTY, FLORIDA



ANTHONY VIEGBESIE, Chair
Board of County Commissioners



ATTEST:



NICHOLAS THOMAS, Clerk