

AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON JANUARY 5, 2021 AT 6:00 P.M.,
THE FOLLOWING PROCEEDING WAS HAD, VIZ:

Present: Brenda Holt, Chair, District 4
Dr. Anthony "Dr. V" Viegbesie, Vice Chair, District 2
Eric Hinson, District 1 – APPEARED REMOTELY
Kimblin NeSmith, District 3
Ronterious "Ron" Green, District 5
Edward J. Dixon, County Administrator
Nicholas Thomas, Clerk of Court
Clayton Knowles, County Attorney
Marcella Blocker, Deputy Clerk

INVOCATION, PLEDGE OF ALLEGIANCE

Chair Holt welcomed everyone at 6:02 p.m., asked for a moment of silence and then led in the Pledge of Allegiance to the U. S. Flag.

AMENDMENTS AND APPROVAL OF AGENDA

Mr. Dixon asked to table Item 1 and Item 9.

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

AWARDS, PRESENTATIONS AND APPEARANCES

Georgia Ackerman, Riverkeeper, appeared before the Board remotely to give a report.

She said there is a legal challenge to the Army Corp of Engineers controlling fresh water to the Apalachicola River and asked if the County wished to join.

Commissioner Viegbesie asked if she would be able to provide other Counties' supporting statement for the project to the Administrator and Attorney and provide more detail with bullet points of what she was asking the body to support? He said their next meeting would not be before the timeline she had just given.

CONSENT

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

ITEMS PULLED FOR DISCUSSION

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

Due to COVID-19 and the efforts of Gadsden County Board of County Commissioners to continue the practice of social distancing, Commissioners want to continue to hear from citizens under the Citizens Requesting to be Heard section of the agenda.

If citizens have any questions, comments or concerns, please email CitizensToBeHeard@gadsdencountyfl.gov and anticipate receiving a response within 48 hours.
Chair Holt read aloud the COVID statement.

Bishop Willie C. Green 296 Bradwell Road, Quincy, FL appeared before the Board.

Broadband Contract

He said he was here when had what was to be short meeting regarding broadband. He said it was his understanding the vendor had been approved and now they were trying to work out the contractual details. He said he hoped the details could be worked out as soon as possible and was something the citizens in the County really needed.

He asked that they make sure have a priority of what they want when it comes to the legislature for the upcoming session. He added that he hoped Stevens School was a priority this session.

CBOR

He hoped to be at the Planning meeting on Thursday. He asked what meaningful purpose has the CBOR accomplished in the past and it was nothing.

He stated he had been at almost every meeting and had witnessed the decorum. He said he felt it was inappropriate for governmental leaders at this level. He said they should not be reacting personally when they disagree. He added that language can be very impactful in how people see them in the County.

He further stated that they have been elected not to represent themselves but the citizens of the County. He said he was representing a group that was working hard to try to make Gadsden County better but it started with the Commissioners and if they find Commissioners were not working for the citizens, they will be challenging them and will work to put them out.

PUBLIC HEARINGS

- ~~**1. Public Hearing Adoption of Ordinance No. 2018-003, An Ordinance of the Board of County Commissioners of Gadsden County, Florida adopting Chapter 66, Article III of the Gadsden County Code of Ordinances, the Gadsden County Emergency Repair Program; providing for repeal, severability, inclusion in the Gadsden County Code of Ordinances, modifications that may arise from considering at a Public Hearing, and correction of Scrivener's errors; and providing for an effective date.**~~

Item Pulled

- 2. Public Hearing – Legislative- Adoption of Ordinance 2020-006, Jett Large Scale Comprehensive Plan Future Land Use Map Amendment (LSPA 2020-01)**

Mr. Dixon introduced the above item and said it was to adopt a Large-Scale Comprehensive Plan Future Land Use Map amendment to the Florida Department of Economic Opportunity to change the future land use category from Agriculture 2 to Agriculture 1 on a 62.13-acre parcel located at 1232 Scotland Road, Havana.

Jill Jeglie, Senior Planner, appeared before the Board to explain the item. She said this was to change the map from Ag 2 that allowed one unit per ten acres to Ag 1, which allowed one unit per 5 acres on a 62.13-acre parcel.

She said the Planning Commission voted 7-1 to approve and then voted 5-0 to transmit the amendment to DEO.

Chair Holt announced this was a public hearing and asked if there were any comments and there was none.

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

GENERAL BUSINESS

3. Public Officials Bond Review

Mr. Dixon introduced the above item and said it was for review of the sufficiency of Bonds of County Officers.

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

4. Approval of Use of the Language Line Solutions service through the State of Florida Contract Number 90121702-20-ACS

Mr. Dixon introduced the above item and said it was for Board approval for the use of the Language Line Solutions service through the State of Florida Contract Number 90121702-20-ACS.

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

5. Public Works Roof Replacement Change-Order Number One

Mr. Dixon introduced the above item and stated it was for approval of additional work needed on the Public Works Warehouse. While Exterior Specialties, Inc. was installing the roof, severe sagging between the posts was found and leveling and stabilization of the structure was needed.

COMMISSIONER VIEGBESIE MADE THE MOTION TO APPROVE AND COMMISSIONER GREEN MADE THE SECOND FOR DISCUSSION.

Commissioner Green said the job was already done and the County needed to pay the bill. He added he did not want a situation like this to occur in the future.

Chair Holt said she agreed with him and did not approve the process taken for recommendation of a low bid when all the work and estimates had not been done properly and that was her concern.

CHAIR HOLT CALLED FOR THE VOTE. THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE. CHAIR HOLT AND COMMISSIONER HINSON OPPOSED.

Mr. Dixon said he heard the concerns of the Commissioners and would make adjustments accordingly.

Chair Holt said she knew this did not occur on his watch.

6. Ralph Strong Road Sidewalk Project FDOT LAP Agreement

Mr. Dixon introduced the above item and said it was for Board approval of the FDOT LAP agreement for the construction of a new sidewalk that included lighting from US 90 to Crossroads Academy.

UPON MOTION BY COMMISSIONER NESMITH AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.

7. Florida Department of Health, Bureau of EMS Matching Grant

Mr. Dixon introduced the above item and said it was for approval of the Florida Department of Health, County Matching Grant Application for Emergency Services. He added Gadsden Emergency Services was seeking grant funding for the replacement of stair chairs and temporal thermal scanners.

COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE AND SECOND MADE BY CHAIR HOLT. COMMISSIONER VIEGBESIE HAD A COMMENT.

Commissioner Viegbesie said whenever they have a chance for a matching grant with 25% from the County's pocket and 75% from the other pocket and was for the good of Gadsden County, he did not see any reason why that should be a second thought.

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

8. St. Hebron Walk and Bike for Life Trail Change Order Number One

Mr. Dixon introduced the above item and said it was for approval of Change Order Number 1 for the St. Hebron Walk and Bike Trail for Life. He explained this would allocate funds within the budget to complete the walking trail.

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

9. Bid Award for the Massey Building Roof and Structural Repair

Item Pulled

10. Terms and Conditions Agreement between Butterfly Network, Inc. and Gadsden County Emergency Services

Mr. Dixon introduced the above item and explained it was for Board approval of the Terms and Conditions Agreement between Butterfly Network, Inc. and Gadsden County Emergency Services.

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

11. FCI Contract (DOCUMENTATION NOT PROVIDED TO CLERK'S OFFICE)

Mr. Dixon introduced the above item. He stated at a previous meeting he and the Attorney was directed to get with FCI to review the contract and remove any questions about what was happening. They met...

COMMISSIONER HINSON MADE A MOTION TO APPROVE AND CHAIR HOLT MADE THE SECOND AND ASKED MR. DIXON TO CONTINUE.

Mr. Dixon continued, he met with FCI, they were able to agree on a delivery date, which was agreed to in a previous meeting of January 15th; start date of February 1st; the finish date would be February 1, 2022; a buy-back program that would hold the Board harmless for devices should they not be used, and a Service Agreement where the County would only pay for services that were used in association with the number of devices. He said the Board would be able to get back money if the 25,000 devices were not used and the County would only pay for services rendered. He said it was presented to the Attorney and he had comments and he would let him speak to that.

Mr. Knowles said his only concern and he expressed that he thought it was easier to procure the devices on an as needed basis but he deferred to the Board.

Mr. Dixon said he presented to them the proposal that was presented to the Board in August, the analysis that the Commissioners kept referring to and there is a contract presented by FCI.

Commissioner Viegbesie said he had not seen the contract and if it was in the packet provided to the Commissioners (copy not provided to Clerk's Office) because when he came to the office to pick up his book, he asked for the contract and asked questions on all the items, at that point, the contract had not been delivered yet. Now, they have been presented with the contract and they have not had time to review it.

Commissioner Green said a citizen made a good point, they were elected by the citizens and they were doing the work for those citizens and several of his constituents reached out to him in reference to this contract. There are things he has been asking from the beginning. He stated he agreed with Bishop Green that this is a needed item but could not come to grips with the language of purchasing up to 25,000. He said why purchase 25,000 when they do not need the quantity. He said while there is a surety bond, the numbers could come back to haunt them in reference to trying to get the money back. He said he did not see why spend what they did not need.

Chair Holt said the 25,000 number came up when they looked at each household and they were estimating the need of two per household. She said hotspots cover a certain amount of space and may not work two – three rooms down the hall. She said there was still a need for the internet service and some do not have it. She said the other thing, if they were looking at that, they had to look at utilities, that was how to count the number of households. If looking at the hotspots themselves, take that number and use that number for the number of people that need them, approximately 2 per household. She said if they were going to pay back, would you do half the job and then do the other half? She said no, and that was why no-one bid on this, because it was not a money-maker for them. She stated TDS had been here the whole time and

never came in and tried to services for the County other than telephones, nor did Comcast or any of the others bid on the contract. She said they had in other locations in the State but not here.

Commissioner Green said he needed more buy-back information, it should be more detailed in reference, was it 100%, 80%, what was the percentage amount they could expect to get back from the devices not used.

Germain Bebe, FCI Communication COO, appeared remotely and said he spoke with Mr. Dixon about the language and agreed that whatever devices were not used, the County would get back 100% and they would “soften” the language. He said, so the Board was aware with the device technology, on an average the shelf-life was between 2-3 years and normally the buy-back on that would be 50% but they will give the County back 100% and it was in the contract under **Payment Terms-5.3 Surety Bond**. Mr. Bebe said it would be within 60 days at the end of the distribution period and would be for devices and services not used.

Commissioner Viegbesie said while the contract was on-screen, he asked the rate per unit for the devices because they were elected to serve the will of the citizens, they were also elected to be a good, conservative custodian of the citizens’ money. He said Verizon and other companies provide hotspots for broadband, but Verizon has unlimited costs with 3 GB for \$20/unit and this was around \$38/unit. He said the price was too high. He asked what was the rate per unit compared to Verizon.

Mr. Bebe asked if he was being asked to provide a competing bid and Commissioner Viegbesie said he was asking for a rate comparison. Chair Holt stated they did not bid on this item. Mr. Bebe said it was their estimation they were providing the devices at the lowest cost possible. He further stated there was a level of quality they did guarantee within their proposal and it included that customers should be able to connect up to 4-5 devices at one time. He added that based on the quality and the guaranteed quality that was proposed and approved, that was the best hotspot to be carried on the level of service that was required. He also said he was unsure as to the type of hotspot they were referring to on Verizon for \$24.00, he could not vouch for them and they did not compete on the bids.

Commissioner Hinson said they had to be fair to the constituents when they make comments. What Commissioner Viegbesie said in comparing 3G and 5G; that was a huge comparison and a big difference and they needed to be clear in their comparison. He said there was really no service at all with 3G and 5G was much faster. He said they were talking about apples and bananas.

Commissioner NeSmith said he was still looking over the contract. Chair Holt said “that was not a problem, because we instructed them to get it done and they were supposed to get, they were supposed to get it to them before now. That was the instructions to the Attorney. That was the instructions to the Administrator. The Administrator told us what he did. The Attorney told us he didn’t think we should buy more than we need. So, where was the work being done that this Board asked to do. That means it would have been up here. One way or the other, we would have gotten it; whether you agree with the outline or not, it would have been up here and would have been done and we would have had it early. Because we gave instructions, didn’t we?” Commissioner NeSmith said they did. She said she understood what Commissioner

NeSmith was saying, that they did not have time to read it and that was a fault in the people they hired. She stated “The Administrator told us what he did. The Attorney told us what he didn’t do.”

Commissioner Hinson said he did not get this; he was trying to be fair about the process. He added that the Attorney said he did not think it was that important, and he was all about being fair.

Chair Holt said she understood the Commissioners were saying they did not have an opportunity to read this; but she was upset for a totally different reason from Commissioner Hinson. She said “You do not, and I don’t care who you are, if you are an employee of this Board, you do not defy the Board because, because the Board gave directions, you do what the Board asks you to do. That’s all. We have to vote. It doesn’t matter, if we say we want to buy 2 pigs instead of three horses, that’s what the Board votes on, we all have to go along with it. I’ve done it for years on things I didn’t agree on. But if three people up here voted for it, I went along with it and I had to support what the Board said. We did not get a contract back but are we not paying for legal services? Yes, yes.”

Mr. Knowles asked if they did not get a contract back.

Chair Holt

“Not tonight, we told you to get it here and it just got here, when did it get here?”

Mr. Knowles

“I got it Saturday night from FCI; then I forwarded it to Mr. Dixon yesterday (on Monday).”

Chair Holt

“Mr. Dixon, what’s your side of the story”.

Mr. Dixon

“I didn’t receive a contract.”

Chair Holt

“Now, get this, what happened to last week?”

Mr. Knowles

“10:58 a.m. yesterday.”

Chair Holt

“10:58 a.m.; he got it. That means we wouldn’t have had a chance to go over it that much either.”

Mr. Knowles

“Right, so FCI should have gotten it to us earlier, right?”.

Chair Holt

“Why didn’t you do the contract?”

Mr. Knowles

“I had done the contract...”

Chair Holt

“Whoa, whoa, hold up. I was telling him (pointing at Commissioner Viegbesie), not you. So, what I’m saying is, we they that it had to get here, it had to get here in a hurry; because we been going at this for months. When did we start this, June?”

Mr. Knowles

“But I submitted it Commissioner, or Chair...”

Chair Holt

“Yeah, but like this weekend.”

Mr. Knowles

“That’s when I got it from FCI. I can’t submit the document until I get it from FCI.”

Chair Holt

“Mr. Dixon, what’s your timeline?”

Mr. Dixon

“FCI, when did you submit the contract to us?”

Mr. Bebe

“The copy of the current contract? I believe I sent that in last week, Thursday?”

Mr. Knowles

“Then I asked for the Word copy, when did that come in?”

Mr. Bebe

“I can’t say for certain, I sent both a signed copy and a Word copy on Thursday. I was told that Mr. Knowles did not receive the PDF, I did send him a PDF copy on Friday. I’m sorry, a Word copy on Friday.”

Mr. Knowles

“At 9:32 p.m.”

Mr. Dixon

“Madam Chair, FCI submitted a PDF copy signed that was submitted to the Attorney. The Attorney requested that it be, that he send it in MS Word editable copy.”

Mr. Knowles

“The same day.”

Mr. Dixon

“After it was submitted to him from me for comment and for any revisions he might have. Ah, FCI then, the next day I think, submitted the editable copy, I think Friday. Saturday and Sunday, I requested of the attorney that, do you have any comments, would you revise the document and give us the document. Ah, he responded to me that his wife...”

Mr. Knowles

“My wife had contractions; she’s due in 2 weeks, which is more important in my mind.”

Mr. Dixon

“Yes, and I, Sunday morning I think it was, I reached out to him and asked him would you please submit to me whatever comments you have so I can have it ready for the Board. Ah, and his response to me was he said what he said and it’s gonna be on the record. I’m not a lawyer and could not draft a contract for you so I submitted the contract that FCI submitted because I did not have one from the attorney.”

Commissioner Hinson

“Madam Chairman, so, we have a, ah, don’t get me wrong, I’m not trying to be picky, ah, you know, I understand the issues and everything here because I said the same thing a couple of years ago during Hurricane Katrina. In the mist of trying times, you still got to act humble and do your job because someone else (inaudible) lost their lives during Hurricane Michael, I apologize and we had certain people that we’re representing that lost it because they said they had other issues and everything else. But when we give contracts, right, the contract does not represent a person, the contract represents saying they say they gonna do it, not the person gonna do it, but the firm or organization is gonna do it. So, if you got a problem, somebody within that organization should make it happen because what’s more important to me, my Mom is more important too, right? My Aunt is more important, my cousin, the neighbor down the street. These people are losing their lives right now. So, if you can’t do the job, give it to somebody else that can do the job. That’s more important because at the end of the day, people dying. I can’t, I’m not sure how y’all looking at this thing. But people are dying. I can’t worry about your problems because you can’t worry about my problems. We got to make decisions now to keep him. If I can’t do it, I’ve got to make sure somebody else can cover the load. (Inaudible) can do it that’s why you got a firm with other people that can do it just in case you end up dying and we know that’s fair, man, that’s fair. So, I’m for the people.”

Commissioner Viegbesie

“I hope in this conversation that we are having; I hope no-one listening or no-one here thinks that there is a soul under the sky that understands that people live in Gadsden County that one soul thinks that broadband and internet connectivity for Gadsden County is not paramount, is not important, is not viable. I don’t think that is what anyone in this room or anyone listening, especially if you are living in this county like we are, knowing the conditions that exist in this county. No-one is talking about the irrelevance of internet connectivity or broadband service to everyone. That is not where the issue is. So, I would think that if that if that is the (inaudible) I am going to suggest that since there is a motion and a second, Madam Chair, we need to carry this vote up or down and I will suggest that we do it by roll-call so that we know exactly who voted which way and if it passes, then we all heed to it. Madam Chair, you just said a number of times, sometimes there are things we don’t vote for but once the Board approves it, you go along with it. We all have to know how to agree and disagree agreeably rather than making things very (inaudible) finger pointing. So, Madam Chair, if it is appropriate...”

Chair Holt

“Not Yet...”

Commissioner Viegbesie

“I am going to, ah...”

Chair Holt

“I have another comment but if you are going to call the question, it will be in a minute.”

Commissioner Viegbesie

“I was going to call the question but if you have a comment...”

Chair Holt

“Let me, let me, let me finish, let me say this. Let me say this. Now, I have sat in the audience back in ‘99 and I hadn’t said anything like this. When you give a direction, they take the direction. If you aren’t going to do it Mr. Attorney, you from a law firm, pass it on. They could have gone over this or written this up. Take in what Mr. Bebe said and taken out whatever. But before today we should have had a contract. Now, ah, ah, you might be hot but I’m real hot. But, let me say this, let me say this. Ah, Marcella’s husband was our attorney at one time. He, he that, he got stuff done, you know? I’m saying, we have so many things to do that this is something that we shouldn’t even be discussing. Ah, a late contract, we don’t have, we’re not prepared, I (inaudible) I feel, has nothing to do with this contract, has nothing to do with this contract. If I thought they ought to have 10,000 and three commissioners thought they ought to have 15, it’s 15. That’s just the way it is. But when we come and it’s late like this, that’s sabotage, as far as I’m concerned and, and that’s why, I’m not really upset about, I’m upset about the timeframe, that we had all these opportunities and we didn’t take care of this. How many companies will be looking at us to take care of the County’s business and then those citizens are depending on us for the jobs that we didn’t get because we couldn’t get the legal side right. This is unheard of, as I said. I’m almost at a loss for words. Now, Mr. Attorney, you’re going to comment...”

Mr. Knowles

“No Ma’am, I just have a question.”

Chair Holt

“Sure”

Mr. Knowles

“How would the Board prefer that I handle these sorts of situations when I get contracts on New Years’ Day at 9:30 in the evening for the future?”

Chair Holt

“Do them, go ahead and do them. I, I...”

Mr. Knowles

“Well, I did. But after that if I don’t get a response or anything and I sent the contract, how would I better serve you doing this moving forward?”

Chair Holt

“Well, since y’all don’t have a timeline, I suggest you just get it back to us. That’s all I can tell you. Get it done, get it back. That’s just how it works.”

Mr. Knowles

“Yes Ma’am, I’m saying if I got it yesterday, and I sent it over...”

Chair Holt

“Well, what I’m saying though, is this, in, in the future it just has to be done. I can’t tell you tonight because we got to deal with this.”

Mr. Knowles

“Yes Ma’am, I just wanted to make sure...”

Chair Holt

“OK, well, I’m, I’m, I’m, yeah, yeah, I tell you it, it’s a mess. Yes sir?” (looking at Commissioner Green)

Commissioner Green

“Thank you, Madam Chair. Let’s, I hear the question going to be called but how can we answer a question especially individually, how can we make a vote again. I’m looking at Commissioner NeSmith as he is trying to peruse through the contract...”

Chair Holt

“Peruse through yours; peruse through it.”

Commissioner Green

“But, I mean, how can we make a vote on something that, that’s not, that we’re just getting?”

Chair Holt

“Well, you understand why I’m upset then. OK, OK, now, now, tonight the question is going to be called; it’s gonna be called. So, if, when and why is not going to matter. You get my point? If someone says ‘I know someone down the street has a better deal’, well, you already have this one in front of you. It’s been voted on; we’ve looked at it; we should go back and negotiate the terms; we already selected the company; ah, so, who’s fault is it? We’re the Board of County Commissioners, that’s who we are. If you have a wagon with three wheels, you looking for a fourth wheel, you had to get the wheel all ready. That’s just the way it is. Because people are going to get up in the morning ready to go to work and they depend on us to get this done. Not from last June, not from August, they intent for us to get this done. This is just one contract out of many that you will be seeing. Ah, Commissioner, wait, wait a minute, we’re not going at this all night. Commissioner Viegbesie, go ahead and call the question.”

Commissioner Green

“Madam Chair?”

Chair Holt

“Yes Sir?”

Commissioner Green

"In all due respect, I don't want to go on all night, but, however, ah, we still have questions, I mean, I don't see..."

Chair Holt

"Well, if you call the question, you got to stop. But what I'm saying is, you want to look through it, you want to take a break, you want to take a 30-minute break and look through it; you want to give Mr. Bebe and them a chance to look through it, give the attorney a chance to look through it, but one way or the other, we need to finish this tonight, right?"

Commissioner Green

"And, and I agree with you to an extent, to an extent, but it's almost like, we, we, even in a discussion, and you know, I'm not gonna go back and forth, I do feel that, you know, we're moving it, but there are still so many uncertainties, even with the question that I asked. It's really not enough clarity in reference to the buy-back program in this contract. Because, that's my biggest concern is the buy-back and being able to make sure that the devices that we do not use, that it is very clear that it's understandable, legible writing that we will get this money back. Because there are so many other things that are great, just as important, but if it's not used, if the people are not using it, the devices, then I don't want to go through us having to wait 2-3 years, trying to go through litigation, trying to get this money back that could be utilized in other areas, if the people are not getting the (inaudible)."

Chair Holt

"That would have been gone through by your legal team. Ah, Mr. Bebe, Mr. Bebe, Mr. Bebe?"

Mr. Bebe

"Yes, Madam Chairwoman."

Chair Holt

"Ah, Commissioner wants some clarity before the question's called."

Mr. Bebe

"Yes, I, I believe we, we addressed it clearly. I, I do want to make it clear as well; the last Board meeting that the Board requested some specific changes in that contract. Literally, all we changed in that contract from the one that was approved was those specific changes. 1) We made it very clear that you are going to get a refund and it's backed by the surety bond; 2) That we changed the payment terms as to when the funds are drawn down when you have the funds and you're given, from the time you actually have the funds, you have 45 days to make the initial payment; also, and the last thing that was changed was, I'm sorry, the last two things that were changed were the deadline for having the devices and the program start date. Everything else there we made it, we stripped it down to where it is black and white. My devices, whatever isn't used at the end of the program, you are entitled to a, for a refund. We didn't soften the clause back, that's the original clause the language that was in there, we didn't soften it at all. You will get a refund and it is backed by a surety bond. Which means, this ought to clear that. If I drop dead or my company goes under, no matter what, you get a refund."

Chair Holt

“And, also, thank you Mr. Bebe. And also, Commissioners, you did have that contract before, because we had it in the last meeting.”

Mr. Knowles

“It’s the same one we’ve had.”

Chair Holt

“Yeah.”

Mr. Knowles

“This is the same one we’ve had?”

Chair Holt

“Yeah. So that’s the only thing they changed. So, you already had it.”

Mr. Dixon

“Yes Ma’am, the only questions we changed were the ones that y’all brought forth last meeting.”

Chair Holt

“Right, so that was already in there, you already had the contract.”

Commissioner NeSmith

“Right, but Madam Chair, again, I just received the contract and I just have not had a chance to read it.”

Chair Holt

“But you had it, two weeks ago, three weeks ago, whatever. We done had it, what, twice? So, you, you had it.”

Commissioner Green

“Yes, we have had it, but we don’t know what changes, now they are telling us the changes that have been made, you know, it’s just good to see those changes and I still have the same concerns that I had, but I am a little bit more at ease. I will say that, knowing that it has been stated and has been documented that whatever devices are not utilized, would be fully refunded for. So, with that understanding, if you want to call this, I will vote accordingly.”

Chair Holt

“Commissioner V, you want to go ahead and call it?”

Commissioner Viegbesie

“There is no reason to call for me to call the question, you can go ahead and carry the vote. I just wanted to make sure that this back and forth stopped.”

Chair Holt

“OK, OK, there you go. OK. Alright, we’re about through with this. Ah, all in favor of the contract that was presented, all in favor.”

THE MOTION PASSED 4-1 BY VOICE VOTE. COMMISSIONER VIEGBESIE OPPOSED SAID MOTION.

CLERK OF COURT

12. Updates

Clerk’s Office was not asked if there were any updates.

COUNTY ADMINISTRATOR

13. Updates

Mr. Dixon said on January 19th there will be a Volunteer Fire Department Workshop at 4:30 and the Commissioners would be going over the funding, on how they are funded and based on what information;

January 21st will be the local Delegation hearing;

January 26th will be the Comprehensive Plan workshop.

He said they started vaccinations last week and gave close to 500 doses, was able to do so very quickly. Governor DeSantis put out an Executive Order that they would only service health care workers, elderly (65 and older); first responders (not to include law enforcement, per the Governor) and long-term care. Health Department has received additional doses. They have partnered with Chief Maddox and Dr. Cooksey to help with the vaccination effort for Friday. He added that Chief Maddox was working on program that would routinely test Public Works, custodial and facility employees; they have to work closely together and custodial employees were on the front-lines continually. He said they have asked Dr. Cooksey to see if they could get them classified as “essential employees”. He said they would have to staff up if they were going to do vaccinations right. Dr. Cooksey did not have the staff to deliver the kind of services that would be needed for the citizens.

Chair Holt mentioned she received a call from Go Nurses and said there were several traveling nurses and some have ending contracts and they have asked if they could come home and work through their organization to help.

Commissioner Viegbesie thanked the Governor, staff, National Guard, Health Department workers, Dr. Cooksey and staff, and the Sheriff’s Office for logistics provided during the services of the first round of vaccinations. He encouraged everyone to take the shot when they have the opportunity.

COUNTY ATTORNEY

14 Updates

Mr. Knowles said Mr. Dixon covered what he was going to cover, which was the Executive Order.

He mentioned the Board had not addressed the Resolution recently; they have new Commissioners and asked the Board for direction on how they wanted to move forward.

Chair Holt said basically on that, they require masks and there was not really much more that was required.

Mr. Knowles said there was no curfew, they required masks and had a gathering restriction of 50.

Commissioner Viegbesie suggested as long as there were no drastic changes, go ahead with the Chair signing a new Resolution every Friday.

Mr. Dixon pointed out they had an employee die last week from COVID and a deputy died this week from COVID.

Commissioner Viegbesie stepped out at 7:31 p.m.

Chair Holt added she was still trying to figure out why law enforcement was not classified as first responders. They were going into homes and needed to be covered. She stated the Public Works employees were first responders as well.

DISCUSSION ITEMS BY COMMISSIONERS

15. Report and Discussion of Public Issues

Commissioner Eric Hinson, District 1

Commissioner Hinson said he spoke with Mr. Dixon earlier and wanted to present it to the Board. He said they needed to do something for Public Works as well as EMS. They are in the streets and he came up with a number to give them a small bonus. The number he came up with was \$250 to all Public Works and EMS employees and asked for it to be put on the Agenda.

Chair Holt said for him to pray on it and they had to check on what was in the budget.

Commissioner Viegbesie returned 7:34 p.m.

Chair Holt stated they did give them a raise and that was pretty good.

Commissioner Kimblin NeSmith, District 3

Commissioner NeSmith asked if it was possible to draft a Resolution for the two that passed away and was told it was normally done.

He thanked Mr. Knowles for always being assessable when he has issues and thanked Mr. Dixon as well.

Commissioner Brenda Holt, District 4

Chair Holt said she was going to do something and say something, some may agree and some may not, but she had been known to be very direct and straightforward. She said they were in

need of legal services, she liked Mr. Clayton as a person but they needed some legal help. She said “all the pretty words don’t work if you don’t have anything else going on”. She added when those developers and contractors come in that door, they come with their legal people and were almost always experienced in those areas. She said they have to have it better than what they have right now. She said she started to put in a motion tonight and do not hesitate when it comes to Gadsden County. She said she had been knowing Mr. Dixon a long time and if he started falling down on the job, she would be the first one to put a motion in. Timelines matter, if you have ever been in business, you have 30 days to make money.

Chair Holt

“I tell you what, I’m tempted to go think about it, but I’m tempted not. In fact, I won’t.” (passing gavel to Vice-Chair Viegbesie)

Vice Chair Viegbesie

“Ah, Madam Chair, madam Chair...”

Chair Holt

“Sir, Sir...”

Vice Chair Viegbesie

“Just hold it, hold it, hold it, hold it...”

Chair Holt

“Whoa, whoa, whoa, whoa, hold up, I did not recognize you so I do not have to. You do not have to accept this gavel. Commissioner Hinson will become the next person that gets the gavel because that’s the next senior person.”

Vice Chair Viegbesie

“I was thinking that holding the gavel did not have to do with seniority...”

Chair Holt

V said holding the gavel did not have to do with seniority and Holt interjected and said if she did not recognize you then they were not arguing.

Chair Holt

“Well, Sir, listen, let me say this. If I didn’t recognize you then we’re not arguing. But I move that we hire Williams Law Firm out of Tallahassee...”

Vice Chair Viegbesie

“Well Madam Chair...”

Chair Holt

“Wait, wait, wait, if I get a second (talking over Vice Chair Viegbesie) If I get a second, then I get a second.”

Vice Chair Viegbesie

“Madam Chair, I am sorry...”

Chair Holt

“You can be sorry but listen at, let me finish my motion...”

Vice Chair Viegbesie

“Procedurally, procedurally you the Chair cannot make a motion...”

Chair Holt (hitting the gavel on the dais)

“There’s the gavel, OK, now I move that we hire Williams Law Firm out of Tallahassee as the County Attorney. That’s my motion, I let it die at the dais.”

Commissioner Hinson

“Madam Chair?”

Chair Holt

“Yes Sir?”

Commissioner Hinson

“Madam Chair, I’m gonna second with a question.”

Chair Holt

“Sure, go ahead.”

Commissioner Hinson

“What’s the reason why Vice Chairman don’t want to do his due diligence?”

Chair Holt

“Mr., ah, Commissioner, you can answer that. He asked you a question.”

Vice Chair Viegbesie

“What was the question?”

Chair Holt

“Commissioner, speak up please he said he didn’t hear you. He didn’t hear your question”

Commissioner Hinson

“Yeah, I was curious, why you don’t want to do your due diligence by accepting the Chairman position because I’m quite sure you when Chairman passed the gavel so you could make a motion too.”

Vice Chair Viegbesie

“I had, I had, I had done it, all I was going to do was to bring to the attention of the Chair that she cannot make a motion when she had the gavel. That was all I was going to bring to her attention. I was going to bring to her attention procedurally of the fact that the Chair cannot make a motion. That was what I was going to do to bring to her attention when she kept on saying she had not recognized me because she was about to make a motion, which is contrary to Robert’s Rules procedurally of the Chairman, chairmanship, or chairwomanship. That was what I was saying. So, you can, it can be interpreted whichever, I was just trying to guide us procedurally. Thank you.”

Chair Holt

“OK, and the reason that I said that Commissioner, is because you can pass the gavel, now there’s nothing to say if he has to accept it. OK? But, that’s not the point, the point is that we need some help. OK? When you start seeing these companies knocking on our door, they’re already ready and as some of them can say, they already looked at the property; they already know what they want to do and we can’t, we gonna have to go back and change what we’re doing. We cannot have this month after month after month. Whether it’s the company’s problem or our problem. We can’t have it. So, like I said, vote it up or down and let’s go. Yes sir?”

Commissioner Green

“So, you were getting ready to make a motion for a law firm that we’ve used in the past, is that correct?”

Chair Holt

“Yes.”

Commissioner Green

“I just wanted to have clarity. Ah, and there is a reason why they are not here. I don’t know because I don’t know who this firm is and so, I’m going to say this and at some point, this roller coaster ride of all these chosen has to come to a cease.”

Chair Holt

“It does.”

Commissioner Green

“And we, just because we don’t agree with certain things or, how certain things have been done, we’re not going to always agree. Why not express how we feel about a situation, give opportunity and then if those opportunities are not met, then we go another route. There’s always been times that I’ve watched that we have been so quick to just make changes just based upon how we feel. I feel a lot of ways but I don’t always make those changes because I feel that way. I mean, so, I, I, you can make your call, I, I just wanted to give that, that point. Thank you for the opportunity.”

Chair Holt

“And I appreciate that. I don’t do things without thinking about them. I do not do things without going through them. Whenever something happens, I document, either on this phone or I document it in my truck or at the house. So, but I don’t go out and just talk about it and the reason I don’t do that is because as I have done before, I don’t have any reason to sit here and criticize you. If I’m going to make a motion, I make it and we keep going. Now, if there anything you want to talk about, we talk about that in the back room. I’m not going to say anything negative about you, or Commissioner V or anyone like that. But I have to look at the performance. That’s what I look at and I make notes on everything. And that’s what I’m saying. We need some help and I do not believe that we are getting what we need to get. Now, that’s my point. It’s not, I didn’t say Williams Law Firm because he didn’t write number 1 twice in the advertisements. I didn’t say that Williams Law Firm because we did not get excellent service under him from Washington, DC back down to the District Court down to the Federal Court over

in Tallahassee to here. So, I'm not saying that I didn't chose, I could have chosen another one but that's the one that I chose. Yes Sir?"

Commissioner Green

"And all that is good and I hear the accolades that are being thrown out, but, however, we, I, how can we, I can't make a vote for a firm that..."

Chair Holt

"Right. There's just, that's why I say you go ahead and vote up or down. Commissioner Hinson, do you have..."

Vice Chair Viegbesie

(Hand has been raised) "Ah..."

Chair Holt

"I'm sorry...Hold on. Y'all call the question and let's go. Go ahead."

Commissioner Hinson

"Madam Chair..."

Chair Holt

"I thought he was saying...Go ahead, Commissioner Hinson, hold on a minute."

Commissioner Hinson

"OK, I thought that Commissioner, I thought that Commissioner V was..."

Chair Holt

"He was. That's why I said hold on a minute. Commissioner V?"

Vice Chair Viegbesie

"Thank you, Madam Chair. I am going to echo the position and the (inaudible) of Commissioner Green. I think sometimes on this government, not just this Commission, since even when I was sitting out in the audience, I see too much knee-jerk reaction to situations that we do not like going on. So, what I'm going to suggest, I think that's what I've been asking for, we are in (inaudible). We need to come up with this document, this performance trail so if we are not satisfied with the performance of the two positions that this Board hires, the County Administrator or the Attorney, and in the evaluation process, we can have the vote of lack of confidence that would lead to a proper way of transitioning from one service provider to the other. Because I think as Commissioner Green just said, too much knee-jerk reaction, I don't know meetings were had before this meeting, or meeting after meeting or between meetings that has come to this point. But, right now, I think it's something that we need to take a breather on and if there are dissatisfaction, there should be some expression of those dissatisfactions and a way of finding a remedy of correcting those dissatisfactions before making choices of just severing the services of any entity. So, that is my position too. I think right now this is, from my point of view, I don't know what had been discussed in the past. This is a knee-jerk reaction to something that had just went on and went on with regard to a contract that I don't know how that is the call of that particular contract. We've done some other contracts before since this law firm come in but this very one, I think, is touching some nerves, some

sensitive nerves that is getting up to this point where we want to sever a relationship with the law firm because of one specific contract and, right now that is very, very disturbing to me.”

Chair Holt

“Thank you. OK, I’m glad. Your knee may be jerking but mine isn’t. I look at facts, I look at data and facts and that’s all I look at. Commissioner Hinson?”

Commissioner Hinson

“Yes, and I concur. I don’t have any problem with the lawyer, I think he’s a great guy. But like he said (inaudible). He said it, we didn’t say that. He said it, on many occasions. He said that; and guess what, we’re about to go through this CARES Act again, right? We’re about to go through the Housing crisis again, about to go through so many other things again and we don’t have time for what happened in the past. How can we sustain him, ah, and I love him, I think he’s a great guy, a super person. But unfortunately, right now, we got a crisis in a lot of different areas and that’s not knee-jerking to me. I’m just repeating what he said.”

Commissioner NeSmith

“Madam Chair?”

Chair Holt

“Thank you. I’m sorry Commissioner, I thought you were finished. Go ahead.”

Commissioner Hinson

“Oh, I’m finished Madam Chair.”

Commissioner NeSmith

“Can we call the question, please?”

Chair Holt

“Commissioner, you want to speak?”

Commissioner Viegbesie and Commissioner NeSmith

Both said to call the question.

Chair Holt

“I wanted to say right quick it’s not because of one contract. I don’t know where you get such idea like that from. I don’t do things like that. I always evaluate. Alright ladies and gentlemen, we’ve called for the vote. All in favor?”

THE BOARD VOTED 2-3. MOTION DIED. VICE-CHAIR VIEGBESIE, COMMISSIONER GREEN AND COMMISSIONER NESMITH OPPOSED THE MOTION.

Chair Holt

“Motion died 3-2. I will say this; I’ve got to get a Proclamation approved for the National Association of Women Construction.

UPON MOTION BY VICE CHAIR VIEGBESIE AND SECOND BY COMMISSIONER NESMITH, THE BOARD VOTED 5-0 TO APPROVE.

CHAIR HOLT

“I would like to say this. If we do not improve, you gonna hear this motion every week, every two weeks. That’s just what we’re gonna do. We gonna straighten this up. We gonna do that we need to do. If the Board says we’re good to go, Mr. Knowles, that’s what we have to do. If they say we’re not, then we’re not. But I am always going to evaluate. I do not, ah, I do not sit up here and criticize you in public. That’s not going to happen. Now you may say you don’t have anything, but I document everything. But what I am saying is this. We need professional legal help. I didn’t say you couldn’t do that. I said I make a decision on the evidence so if your knee is jerking, it’s not mine. Y’all ready to go home?”

Commissioner Ronterious Green, District 5

Mr. Green asked if there was any idea when the next draw-down would be available from the CARES Act funding because he also believed they should make something available for Public Works and EMS. He said several of those employees work other jobs that they could not go on during the time they could not work waiting on results to come back from the virus. Especially if the County received more CARES Act money that they could be included to show appreciation for their hard work. He added if they do receive more money, they should plan another workshop to plan how to spend it.

He asked how to add a name to the board of the Veterans’ Memorial Monument that was across the street.

He also stated he does go back and forth to Facebook on his phone because he was concerned about what was being said because they were representing everyone and wanted to assure everyone that better days were ahead.

Commissioner Hinson said he also had a list for Resolutions of people that had passed away.

Commissioner Anthony “Dr. V” Viegbesie, District 2

Commissioner Viegbesie said he was not surprised when Bishop Green made his comments, which were part of the comment he was going to make today.

He asked what type of leader would they be in 2021. He said for them to “work for a cause, not for applause”. He asked that they not let their personal ambition interfere with the reason they were elected.

Receipt and File

UPCOMING MEETINGS

Gadsden County Board of County Commissioners
January 5, 2021 – Regular Meeting

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HOLT DECLARED THE MEETING ADJOURNED AT 7:57 P.M.

GADSDEN COUNTY, FLORIDA

**BRENDA A. HOLT, Chair
Board of County Commissioners**

ATTEST:

NICHOLAS THOMAS, Clerk