

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON OCTOBER 17, 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
Brenda Holt, District 4
Robert Presnell, County Administrator
David Weiss, County Attorney
Marcella Blocker, Deputy Clerk

INVOCATION, PLEDGE OF ALLEGIANCE

Chair called meeting to order at 6:00 p.m., asked everyone to stand for Invocation and then led in the Pledge of Allegiance to the U. S. Flag.

AMENDMENTS AND APPROVAL OF AGENDA

Commissioner Morgan asked to add to the Agenda the upcoming end of the Administrator's contract for discussion and resolution. Commissioner Holt asked if they were discussing the position or the person and Commissioner Morgan said whatever it took to have an Administrator in place after his existing contract ended.

Mr. Presnell said he would like to pull Item 8.

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

AWARDS, PRESENTATIONS AND APPEARANCES

CLERK OF COURT

Mr. Thomas was not present and there was nothing to report,

CONSENT

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

1. Ratification Memo

ITEMS PULLED FOR DISCUSSION

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

Bob Busch, Motorola-County-Wide Radio Communications

Benjamin Bass, 4570 Memorial Blue Star Highway, Chattahoochee, FL County Communication

System

Michael Dorian, 145 Alligator Run, Quincy, FL -Corridor roads

Mr. Dorian appeared before the Board and said he had a history he passed out to the Commissioners for their information and benefit and wanted to highlight a few things listed on it.

Commissioner Hinson arrived at this juncture of the meeting.

Mr. Dorian asked that the Board read the information that he provided to them.

PUBLIC HEARINGS

2. PUBLIC HEARING-Adoption of Ordinance No. 2017-007, An Ordinance of the BOCC of Gadsden County, FL amending Section 20-8 of the Economic Development Grant Program Ordinance, Ordinance No. 2016-006, Codified at Chapter 20, Article I, Section 20-8 of the Gadsden County Code of Ordinances, to Change one of the Bases for Some Grant Award Calculations; 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. Weiss said this was the first of two public hearings this evening. He explained this one sought the adoption of an Ordinance amending Section 20-8 of the Economic Development Grant Program Ordinance, Ordinance 2016-006, codified at Chapter 20, Article I, Section 20-8 of the Gadsden County Code of Ordinances to change one of the bases for some grant award calculations. He said one of the words that went into the calculations was the word "payroll taxes"-a certain percentage of a company's payroll taxes could go into the calculation for a grant award. He said it was his understanding when this was drafted, the intention was to have a percentage of payroll rather than payroll taxes but it currently stated "payroll taxes" and further said payroll taxes would be a nominal amount and would not do much to enhance the incentive based on the calculation. He said it was before them tonight to remove the word "taxes" in two different places in the Ordinance and would make it so the incentive would be calculated in part based on payroll rather than payroll taxes.

Commissioner Morgan said if he understood this correctly, they were basing this on total payroll and if they had looked at how it may impact the dollars. He asked if a new business came to town and they had a payroll of \$200,000 a year for five positions, one of which was the owner and he made \$120,000 a year and the others made \$10.00/hour, would that give any weight on how this was done and should that be something they should be concerned about. Mr. Presnell said he would have to check on the cap unless the attorney knew off the top of his head but he knew the project they were currently working on had a pretty sizable payroll and the impact to the County would be approximately \$30,000 and over three years. Commissioner Morgan asked if they wanted to make an Ordinance based on one project.

Commissioner Holt said the reason they looked at this, it gave incentives to companies to try to get them to come and to increase the possibility of jobs for the County.

Mr. Weiss explained the way the grant calculations would work-first there was a score of companies coming in based of what they were bringing in terms of economic development for the County and when go from there, there is the grant calculation award, which one component was

the payroll tax would be payroll and was something the County would then give to the business as an incentive to come to the County.

Chair Taylor asked if this incentive would work with expansions for existing businesses and Mr. Weiss explained it would qualify and depend upon the expansion.

Chair Taylor then announced this was a public hearing and asked if there were any comments and there was no-one that wished to speak.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER VIEGBESIE, THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER HINSON OPPOSED.

3. PUBLIC HEARING-(Legislative): Consideration to adopt Ordinance 2017-003 to update the Capital Improvements Schedule of the Capital Improvements Element (KSPA-2017-001)

Mr. Presnell introduced the above item and said it was to adopt Ordinance 2017-003 to adopt the Capital Improvements Schedule for Fiscal Years 2017/2018-2021/2022 of the Capital Improvements Element of the Comprehensive Plan.

Mr. Weiss said every year they were statutorily required to update the Capital Improvements Schedule of part of their Capital Improvements Element of the Comprehensive they have to include a list of the publicly funded projects, project costs and funding sources that impact capacity over a 5 year planning horizon.

Chair Taylor announced this was a public hearing and asked if there were any comments and no-one wished to speak.

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

GENERAL BUSINESS

4. Rescind September 7, 2017 action directing Staff to issue a solicitation for the hiring of a consultant to develop specifications for a solicitation for the lease or purchase of a new County-wide communications system

Mr. Presnell deferred this item to the Attorney.

Mr. Weiss said this was to rescind the decision of the Board's action on September 7, 2017 directing staff to issue a solicitation for the hiring of a consultant to develop specifications for a solicitation for the lease or purchase of a new County-wide communication system. He said they found out in order to hire a consultant to develop the specifications for the system, it would require a lot of time and cost a lot of money. He said if they were going to consider an alternative purchasing option rather than issue a solicitation, they would need to rescind their prior direction to hire a consultant to develop the specs for the solicitation.

Commissioner Viegbesie asked the attorney questions regarding this item and what the legal ramifications were if they chose Option 1. Mr. Weiss said he could not tell them what would or would not happen with regard to the Public Records request. He said if they decided to go with a different route for acquisition, they were entitled to do so under their procurement policy; they

were entitled to do so. Mr. Weiss said he could not tell them there would not be litigation.

Commissioner Hinson said it was said if they went through this process it could cost \$100,000 and asked for evidence where that amount of money was paid to get it done. Mr. Weiss said he had been told it could cost as much as \$100,000 to develop specifications. Commissioner Hinson said their decision was based on what he was saying and if he had facts that would demonstrate it and if he was going to make a \$3 Million decision, he wanted to make sure he had all the information before making the decision.

Commissioner Morgan said it was not the County Attorney's job to advise them what it might cost, that was the Staff and Administrator's job.

Mr. Presnell said earlier in the process, they contacted other counties and got estimates from them as to their costs.

Commissioner Hinson said he was a math instructor and that was why he asked two or three months ago for the comparison between the two to make his decision.

Commissioner Holt said the specs they had now were for Motorola and Mr. Presnell said it was a governmental contract.

Commissioner Morgan said the situation was the County had something that was critical and this was a potential life-saving solution. He said this item asked them to rescind an action they took at a previous meeting that they should have not taken in his opinion and he did not vote for it because they were not required to bid anything; this was a problem they were looking to solve, had a local vendor come and assess the situation, make a recommendation and it took several weeks and months to do. They found an existing contract they could legally piggy-back off of and should have done it at that point. He said a Commissioner asked about having another vendor come in and there was no problem, they came in, made a recommendation and was not a bid situation. He further said this was a problem that needed to be resolved and fixed. He said one of the vendors was not going to be chosen and the other will be mad and if they wanted to legally pursue a court case that was their right. He said the attorney was trying to tell them they were within their procurement policy to move forward and solve the problem and they needed to rescind this and approve the next item with whatever direction they were going to do.

Chair Taylor said she agreed with Commissioner Morgan because she came face-to-face in a situation with what a deputy was going through with the mike on his shoulder the week before.

Commissioner Hinson said "Personally I think we need to move as well but at the same time we need to make sure that, that, the question is that why we here at this point right here if they did the research before this, why we had to come back and rescind. They saying we found another loophole, why would you say that, I mean, if, you know, once someone say we want to make sure we have, we want everybody's emails and phone records and all this, alright we got another way we can handle this now. Why couldn't we find another way the first time than going through this. That's the thing, how it looks, how it seems. It's nothing about right or wrong, it's how it seems. Because we got the same attorney, same County Administrator here, right, how come they couldn't come before that and say 'Hey, with the research here, this is the legal way to handle this'. We could have voted the same day and moved forward. But, what we did was went

through another process, then once the people say we want to file a lawsuit, not to file a lawsuit, we want to investigate some more and we want County Administrator's phone records, we want the County Commission phone records, the emails, public records request then the next Board meeting we say 'Hold on a second, let's go back, we got another way we can do this without that. Let's go rescind that and come back'. It's just how it looked, how it seemed to the people. I never been accused like that before you know, so I was just saying to make sure we do it smooth and whenever we do it, you know, it may take another month or two. I don't think nobody got a problem with doing the service, but how it looks, how it seems like we got our hand in the cookie jar".

Chair Taylor said from her understanding Williams was still going to pursue and this did not deter or stop.

Commissioner Hinson said he knew a lot of kids getting in trouble and why couldn't they put community centers all over the area, because they had to look at the money. He said a lot of seniors needed a state of the arts facility in the area and why couldn't they do that? He said some things they had to do what was right and no-one was saying not to do it. He felt 100% of the Board members said do it and was something they had to do. He said he wanted to make sure they did what was right. He said he had people contact him that were in support of Motorola, that worked with them with the fire departments and once he told them it was \$3 Million, they were not aware of the amount of money and thought there might be another way. He said once people were given all the information, they could base their decision on that but there should not be a money value on peoples' safety, he just wanted to make sure everything was in line.

Chair Taylor asked the Administrator the costs of Item 6 and Mr. Presnell said \$1.4 Million. Commissioner Hinson said it was originally \$3 Million and Chair Taylor said yes and she wanted the public to know the actual numbers now.

Commissioner Holt asked with this item, how they would pay Motorola and Mr. Presnell said over a period of 5-10 years and there were a number of options on the financing. Motorola offered financing but if they approve this and direct Staff to move forward, they would find the best financing deal. Commissioner Holt asked the option with Williams and Mr. Presnell said it was the same.

Mr. Weiss said under their procurement policy they could develop specs and have it bid. He said their other option was to rescind that direction and make an alternative acquisition under their procurement policy and make a piggy-back purchase off the existing Government contract.

Commissioner Morgan stepped out at this juncture of the meeting.

UPON MOTION BY CHAIR TAYLOR TO RESCIND THIS ITEM, SECOND MADE BY (COMMISSIONER MORGAN RETURNED AT THIS TIME) COMMISSIONER MORGAN, THE BOARD VOTED 5-0 TO APPROVE.

5. Purchase or Lease of New County-Wide Radio Communication System

Mr. Presnell introduced the above item and said it was for Board direction or approval for the purchase or lease of a New County-Wide Radio Communication System.

Benjamin Bass, 4570 Memorial Blue Star Highway, Chattahoochee, FL

Mr. Bass appeared before the Board and said the number of radios being purchased would not cover the amount needed by fire departments and asked if the numbers could change. He said they were getting brand new equipment and putting it in shelters that do not have good working air conditioning or proper grounding and it would not be properly protected. Mr. Presnell said they had met with the Fire Chiefs with each department.

Commissioner Viegbesie stepped out at this juncture of the meeting.

Mr. Presnell said the numbers came from the fire chiefs and some of fire departments may be buying radios just as cities were.

Bob Busch, Motorola, 67 Seville Chase Drive, Winter Springs, FL

Mr. Busch appeared before the Board and said four of their employees were residents of Gadsden County.

Commissioner Viegbesie returned at this juncture of the meeting.

He said they met with EMS, Fire and the Sheriff to go over their solution and was hopeful they picked Motorola as the Communications partner. He said one thing that was clear to them was the need for reliable County-Wide multi-agency communications so they could all talk to each other.

Commissioner Viegbesie said this was something that should have been done and they heard from the service users as to the compatibility of Motorola's product. He said they also that the servicing of the equipment from one vendor was in-house and other was outsourced. He said his vote would not change

Commissioner Holt asked Mr. Busch about additional towers. Mr. Busch explained the system was a 5 site system and that was included in the proposal. He said there was one transmitter site at the Sheriff's and two additional sites over what they had today and coverage would be increased greatly.

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

Chair Taylor said they needed help with concerns of Mr. Bass and said she expected the Administrator to do due diligence.

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

6. Approval of Revisions to the County's Procurement Policy

Mr. Presnell introduced the above item and said it was for approval of revisions to the County's Procurement Policy.

Commissioner Viegbesie said this was a revision level that he would not support because he did

not think it was appropriate for one person to have that authority, it was too much money. He said Leon County's budget was \$568 Million, twelve times Gadsden County's budget and their County Administrator did not have up to \$25,000 without having to go through the process.

Chair Taylor asked the Administrator with regard to Commissioner Viegbesie's comments, she said the \$25,000 threshold they were looking to approve without Board approval was a bit high but did not want to hinder the government. She said she preferred if there were a number that he saw that he would need to take care of things.

Mr. Presnell said any number would be an improvement to help streamline purchasing, even if they went with \$10,000.

Commissioner Morgan said he was the one that asked this be brought back and the reason was there were several examples brought before them the past few months where it hindered the day-to-day operations of County government and he was not aware of any issues from the prior procurement policy. He thought it worked and was his opinion they should go back to that, if it presented a problem, address it then.

COMMISSIONER MORGAN MADE A MOTION FOR APPROVAL OF OPTION ONE AND SECOND MADE BY COMMISSIONER HINSON. COMMISSIONER HOLT SAID SHE HAD COMMENTS.

Commissioner Holt said she could go along with an increase but not \$25,000. She wanted to see a list of projects over a certain period of time. She said she did not mind changing it to \$10,000 but could not vote for \$25,000, it was too much.

CHAIR TAYLOR CALLED FOR THE VOTE. THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER HOLT AND COMMISSIONER VIEGBESIE OPPOSED.

7. Approval of the Contract with Con-Techs Health & Safety to Provide Pre-Employment, Post-Accident, and Random Drug and Alcohol Screening Services and Training Services

Mr. Presnell introduced the above item and said it was for Board approval of the services contract with Con-Techs Health & Safety to provide pre-employment, post-accident, and random drug and alcohol screening services as well as training services to the County.

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

8. Approval Of Internet Essentials Agreement with Comcast

Pulled

9. Approval of the Architectural Design for the New Multi-Purpose Facility for the UF/IFAS Gadsden County Extension Office

Mr. Presnell introduced the above item and said it was for Board approval of the architectural design for the new Multi-Purpose Facility for the UF/IFAS Gadsden County Extension Office.

Joel Sampson appeared before the Board and presented drawings of the proposed site along with a video.

Chair Taylor stepped out at this juncture of the meeting.

Mr. Sampson explained the lay-out of the new facility.

Chair Taylor returned.

COMMISSIONER VIEGBESIE MADE A MOTION FOR APPROVAL AND COMMISSIONER MORGAN MADE THE SECOND. COMMISSIONER HOLT HAD QUESTIONS. SHE ASKED IF THEY WERE APPROVING IT WITH CHANGES OR APPROVING THE LAYOUT. HE SAID HE WAS PRESETTING THE WHOLE DESIGN. CHAIR TAYLOR CALLED FOR THE VOTE. THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THIS ITEM. COMMISSIONER HOLT OPPOSED.

10. Approval of Resolution 2017-033 Supporting the Community Transportation Safety Team (CTST) to Apply for Transportation Enhancement Funding through the Capital Region Transportation Planning Agency

Mr. Presnell introduced the above item and said it was for Board approval and signature by the Chair in support of the CTST applying for the Safe Routes to School (SRTS) Program. He said this was for Phase II of the sidewalk from Crossroad Academy to High Bridge Road.

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

11. Approval of the Recreational Trails Program Grant Match

Mr. Presnell introduced the above item. He said the County applied for a Recreational Trails Grant for the property they acquired at St. Hebron and it was awarded and required a \$25,000 cash match and \$175,000 in-kind site work.

Commissioner Holt stepped out at this juncture of the meeting.

He said the site work would be clearing with Public Works and there was an issue with that. He said there was a deadline and they wanted a letter stating the Board approved the funding before they executed the contract but made them aware that the \$175,000 in-kind services required posed a problem. He explained they were unable to use gas tax money but they do fund a portion of Public Works with the surtax, which was a penny that was half fire and half Public Works. He said they could legally use those funds but would need to amend the Ordinance.

Commissioner Holt returned at this juncture of the meeting.

He added if they wanted to do this and use their equipment for the in-kind match, they need to revise the Ordinance for the penny sales tax and change the allowable uses of the surtax and add parks and would need to pass with a super-majority vote.

COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE OPTION ONE AND COMMISSIONER HINSON MADE THE SECOND. COMMISSIONER MORGAN HAD QUESTIONS.

Commissioner Morgan said they would be changing the Ordinance to include parks for services that Public Works would be using for other projects such as bridges, roads, etc. Mr. Presnell said they receive half of that funding each year and have for a number of years. Commissioner

Morgan said he had no issue with a park but they want to make the best decision for that District and the residents. He said based on what he was seeing and hearing he thought there was another grant they could apply for that would not require a match that would not take money away from Public Works and what it was intended for. He asked at the end of the day they had the cost of purchasing the property of close to \$50,000, now another \$25,000 and redirecting \$175,000 that was needed for the roads, bridges, etc. He asked what would be at the Park at the end of the day and Mr. Presnell said a ten foot wide multi-purpose trail around the perimeter. Commissioner Morgan said in addition to that he saw the next item after this that \$60,000 of the \$200,000 would be on fees that would come out. He said he had no issue with a park there but felt this was not the best answer to get this accomplished; there was another grant they could go after.

Commissioner Viegbesie said in the last year's budget there was \$30,000; Mr. Presnell said that was in the current budget. Commissioner Viegbesie said out of the \$30,000 was where the \$25,000 would come from and Mr. Presnell said that was correct. Commissioner Viegbesie said even though the park was in the eastern part of the County it was open to everyone. He added the facilities would create a one mile ten foot wide walking trail, bike riding, and a nature observation trail around the 25.25 acre site and would have educational advantages to it because it would provide opportunities to observe and study plants, birds and wildlife that were native to North Florida. He said if they did this, there was nothing preventing them in the future to do one in west Gadsden. He added that Gadsden County had playgrounds but had no parks and said the motion was made and he called the question.

CHAIR TAYLOR CALLED FOR THE VOTE. THE BOARD VOTED 3-2 BY VOICE VOTE. CHAIR TAYLOR AND COMMISSIONER MORGAN OPPOSED.

Mr. Weiss said the Administrator explained in terms of the in-kind services and the need to amend the Ordinance in order for the in-kind to go through and it would require a super-majority vote. He said that would come before them at the next meeting. He further stated this letter attached would be signed and mailed out and if the Amended Ordinance did not pass this was not contingent on that.

Chair Taylor said that was why it was imperative that they do things in a timely manner and said she had heartburn with this because it was like designating a funding source that they did not have approval for and they do this in the proper perspective.

Commissioner Holt pointed out if this were contingent on the super-majority vote they were not out of line. Chair Taylor said the motion was moved to approval not with a contingency on it.

Mr. Weiss said it would be appropriate if they wanted to reconsider it.

Chair Taylor said they could amend the motion to include being contingent

Commissioner Holt said if they had already made the motion and the vote taken, the winning side had to bring the item back. Chair Taylor said that was what she was trying to do.

Commissioner Viegbesie said he had no problem but the issue was if the item was on the Agenda and collaborative work by legal counsel, Administrator and Staff, he felt the contingency should

have been a part of the options coming from Staff on the Agenda. He said he was going to amend his motion to reflect what the law said they needed to do to keep them on the right path.

COMMISSIONER VIEGBESIE MADE A MOTION TO ADOPT OPTION ONE BEING CONTINGENT ON THE REVISION OF THE ORDINANCE. BEFORE A SECOND THERE WAS DISCUSSION ON HOW TO PROCEED.

Chair Taylor asked for direction from the attorney.

Mr. Weiss said the appropriate procedural mechanism under Roberts' Rules would be a Motion to Reconsider by one of the prevailing parties and assuming that motion was approved, the next motion should be to approve the option contingent upon.

Chair Taylor asked for a motion to reconsider.

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

COMMISSIONER VIEGBESIE MADE A MOTION FOR APPROVAL OF OPTION ONE CONTINGENT ON THE REVISION AND APPROVAL OF THE ORDINANCE AND COMMISSIONER HINSON MADE THE SECOND. THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE THIS ITEM. CHAIR TAYLOR AND COMMISSIONER MORGAN OPPOSED.

12. Approval if Task Order 2017-016 with DPB & Associates Consulting Engineers for Project Planning and Design Services

Mr. Presnell introduced the above item and said it was for Board approval of a Task Order with DPB & Associates for Project Planning and Design Services and for authorization for the Chair to sign.

Mr. Weiss said there was no grant agreement with DEP and this needed to be contingent upon a Grant Agreement with DEP.

Chair Taylor said this item needed to be approved contingent upon the funding was received.

COMMISSIONER VIEGBESIE MADE A MOTION TO APPROVE OPTION ONE CONTINGENT OF DEP APPROVING THE GRANT AND COMMISSIONER HINSON MADE THE SECOND. COMMISSIONER MORGAN HAD QUESTIONS.

Commissioner Morgan reverted back to the previous item and the concerns he stated then and asked the Board to fully consider that in this particular project.

CHAIR TAYLOR CALLED FOR THE VOTE. THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE THIS ITEM. CHAIR TAYLOR AND COMMISSIONER MORGAN OPPOSED.

13. Approval of 2018 Small County Consolidated Waste Grant Application with Florida Department of Environmental Protection (DEP)

Mr. Presnell introduced the above item and said it was for Board approval of a funding agreement between the Gadsden County BOCC and The Florida Department of Environmental Protection

(DEP) for the Solid Waste Program. He added this was for approval for the Chair to execute the agreement and authorization for the Finance Director to approve and sign requests for reimbursements on a quarterly basis.

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

14. Approval of the Non Profit/Human Services Funding Agreements for FY2017/2018

Mr. Presnell introduced the above item and said it was for approval of the Non-Profit/Human Services Funding Agreements for FY2017/2018 and authorization for the Chair to sign the agreements.

Commissioner Morgan stepped out at this juncture of the meeting.

Chair Taylor said she thought it would be good if they could hear from some of the organizations on their activities and how well they were progressing with the funding and what they were doing.

Commissioner Morgan returned at this juncture of the meeting.

COMMISSIONER HOLT MADE A MOTION FOR APPROVAL AND SECOND MADE BY CHAIR TAYLOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THIS ITEM.

15. Approval if the Non Profit/Human Services Funding Agreements and Interlocal Agreements for Human Senior Services for Gadsden County Seniors for FY 2017/2018

Mr. Presnell introduced the above item and asked that whoever made the motion to include Havana Senior Citizens to the motion for approval.

COMMISSIONER HINSON MADE A MOTION TO APPROVE OPTION ONE AND THERE WAS DISCUSSION BEFORE THE SECOND WAS MADE.

Commissioner Hinson said they eliminated all the “stuff” so they could get their money quarterly and all they needed to do was produce an invoice and a quarterly report. Mr. Presnell said if it were \$5,000 or less, they had been giving it to them because it would not give them enough money to do what they might need to do. Commissioner Hinson said they wanted him to do what they told him to do and “We told you to do and we had this conversation forever and this was something that, just do exactly what the Board told you to do. The Board told you we had this conversation with the Clerk of Court and he was trying not to make it work and we had this conversation here about the Senior Citizens, the Board instructed that they would give us a blueprint of what they were going to use this for; once they give the blueprint, we give them the funding. Because the argument we had at the time is that we had people, like for instance, especially in Havana, if you had to do the bathroom, that’s \$10,000 right there. If you had to go and then do the kitchen, that \$10,000, the floor and then have to do the plumbing outside that’s almost a quarter of a mile down, that’s a lot of money there. So they can’t, they can’t wait until, some people got the luxury to do it, but they built that place so which means they been refurbishing a lot of stuff that’s going on and I think as the Board instructed, the County, we don’t need no bright ideas around here, cause you got to do what the Board said, that’s not illegal to do what the Board said do. The Board said give them the money.” Mr. Presnell said that was what he was trying to say. Commissioner Hinson continued “We don’t want to give them the money

quarterly, am I right? We give them the money straight up so they can use it how they want to use it.” Mr. Presnell said they could verify this and it would bring clarity to the Board because he thought he used the wrong figure. He said they were giving them their money but he said \$5,000 but he thought it was the entire \$10,000 they were receiving.

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

15a County Administrator Contract

Commissioner Morgan said this was for discussion and action on the County Administrator’s contract that would be coming to an end in few days if not extended. He asked the Board to extend the contract to the end of his drop term of April 2019 to have a more seasoned administrator.

COMMISSIONER MORGAN MADE A MOTION TO EXTEND THE CONTRACT UNTIL THE END OF APRIL 2019 AND CHAIR TAYLOR MADE THE SECOND WITH A QUESTION.

Chair Taylor said she had always stood on the premise of twelve months and asked the Administrator for clarity what his preference was and he said he worked at the pleasure of the Board.

Commissioner Viegbesie asked to say something about where they stood and how they had gotten here. He said when he came on Board in 2014, Board decided to have two retreats to provide a succession plan, somehow things did not work out according to the timeline and now they were in a quagmire.

Commissioner Holt said there was a plan in place and had done what they needed to do to take care of the position and they needed to move forward.

Chair Taylor said there was a motion on the floor and Commissioner Viegbesie asked that this be a roll call vote.

Commissioner Viegbesie-no
Commissioner Hinson-no
Commissioner Holt-no
Commissioner Morgan-yes
Chair Taylor-yes

MOTION FAILED WITH A 3-2 VOTE.

COMMISSIONER HOLT MADE A MOTION TO HIRE ANTHONY POWELL AS INTERIM MANAGER AND COMMISSIONER VIEGBESIE MADE A SECOND WITH A QUESTION.

Commissioner Viegbesie said he was surprised to hear that nomination but since they had voted the first motion down and since the County needed a County Administrator with the transition from where they were to where they were going he would make the second and hearing the credentials, felt they had a formidable person in place to carry the County forward.

CHAIR TAYLOR SAID THERE WAS A MOTION AND SECOND ON THE FLOOR FOR ANTHONY POWELL FOR INTERIM COUNTY ADMINISTRATOR AND COMMISSIONER VIEGBESIE ASKED FOR A ROLL CALL VOTE.

Commissioner Viegbesie-yes
Commissioner Hinson-no
Commissioner Holt-yes
Commissioner Morgan-no
Chair Taylor-no

COMMISSIONER HINSON MADE A MOTION FOR DEE JACKSON TO BE INTERIM COUNTY ADMINISTRATOR AND COMMISSIONER VIEGBESIE MADE THE SECOND WITH A QUESTION.

Commissioner Viegbesie said they needed someone now and given where they were, he made the second for her to be the Interim.

Commissioner Holt said she was pretty sure she would vote no and the reason was Anthony Powell had the experience and it was a tough job. She said if they could not choose someone that had already done this and had experience, she would prefer someone from the Range Riders. She said they were paying Association fees and they could send someone that had already done this for several different counties throughout the State and was their job. Commissioner Hinson said he understood that Mr. Powell would be retiring in December. Commissioner Holt said she spoke with him and he said he was retiring but was willing to do this until they were able to find someone.

CHAIR TAYLOR CALLED FOR A ROLL CALL VOTE.

Commissioner Viegbesie-yes
Commissioner Hinson-yes
Commissioner Holt-no
Commissioner Morgan-no
Chair Taylor-yes

THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE DEE JACKSON AS INTERIM COUNTY ADMINISTRATOR. COMMISSIONER HOLT AND COMMISSIONER MORGAN OPPOSED.

Commissioner Morgan left the meeting at this time.

COUNTY ADMINISTRATOR

16. Update on Various Board Requests

Mr. Presnell reminded them of the Trunk or Treat at Wards lot on October 31st starting at 5:30 p.m.

He said there was a Workshop at Campbell-Kelly Center regarding Stevens School on October 23rd.

Commissioner Viegbesie asked for an update regarding the Greenshade Community fire station. Mr. Presnell said as they knew the County had purchased property and there had been numerous

meetings there trying to get the community organized. He said there were eight individuals that signed up for the training and they needed a minimum of two that were certified to place equipment there.

Mr. Presnell asked to say a few words since this was his last meeting. He said he was glad the issue had been resolved. He said some had been together a good while, they had made headway and he had enjoyed the opportunity to work with them. He said he and Dee Jackson worked well together and if there were any way he could help, she knew where he was.

Chair Taylor said they would go around and allow every Commissioner to say a few words.

Commissioner Viegbesie said he knew Mr. Presnell before he ran for office and his vote today had nothing to do with the person. He added that Mr. Presnell had been very helpful in helping him grow in his area of expertise, transportation, roads, etc. and he hoped he knew his vote had nothing to do with him as a person but had to do with his feelings about the process.

Commissioner Holt said she came in '02 and Robert was at Road and Bridge at the time and said they had done a lot of things together and had gone after projects together. He said they went through

Commissioner Hinson said personally Mr. Presnell had helped him lot; helped to strengthen his "EQ" and how to connect with other people. He added that this was nothing personal and once they were doing the interviewing process didn't think he was interested and his mind was made up and he started looking to see how would be interested.

Commissioner Viegbesie said to staff, he wanted it on record that Mr. Presnell did not work for the County Commission, they all worked for Gadsden County, he did not work for the Board, he worked with the Board for the County because they were his supervisor.

Chair Taylor said the thing she liked best about him was the team he had put together.

Commissioner Hinson said he came in late the last meeting and decided to look at the meeting himself and looked at the meeting on Facebook and they were being recorded without their consent and was being posted on the County Facebook page. He said the County never approved to air the meeting live on Facebook and what he saw, they were talking and it was being aired 5-10 minutes before the meeting. He said the job of the County was to make the County look great and felt it was not fair to them to be in that situation. Their job was to make them look good and to not show their weaknesses and using County purchased property to do so. He felt it was one of the most unprofessional things he had seen and asked if it were legal or criminal and wanted to know when they bought the camera and what the purpose was; it was never used anywhere else. He asked for it to be investigated and said having speakers there without Board consent was wrong. He added when he saw it, it was one of the scariest things he had seen in his life. He added he had his Wife look at it. He said as a matter of fact he recorded it on his phone and then erased it.

Commissioner Viegbesie asked if Florida was a consent state where consent had to be given before recording and added in his class he had rule of no-one taping in his class without consent.

Commissioner Hinson said this occurred five minutes prior to the public meeting.

Chair Taylor asked the Attorney for an opinion.

Mr. Weiss said he would have to look into this matter if prior to the meeting if there were a distinction between being a public forum and having somehow some type of consent by virtue of that. He said during the meeting it was a public meeting and saw no issue with that but would check on prior to the meeting starting.

Commissioner Hinson said they needed to let the Commissioners know they were being recorded and being put on Facebook live because that was fair to them. He said they were being recorded five minutes prior to meeting and he recorded it himself. He said to just imagine someone said something crazy-someone could have gone to jail because of a joke.

Chair Taylor said to let legal look into this matter and come back with an opinion.

Commissioner Holt asked if they were recorded before meeting started tonight. She asked if she could ask Mr. Jenkins some questions. She asked if he was the one that put dialogue on FB live before the meeting started and he responded that he activated the cameras just prior to the Chair starting the meeting. Mr. Jenkins said the meeting was being recorded by 3 different devices. Commissioner Holt asked him what time he started recording the meeting and he said when the Chair said to get started. Commissioner Holt said that was being done without any consent. Mr. Jenkins said this was a public meeting and Commissioner Holt said it was not a public meeting before it started. She further stated that people in the room needed to be aware in case they were talking to each other and something was picked up and once the meeting started sure, it was fair game. Commissioner Holt asked to have an answer by tomorrow and thought the Board should have a say-so before going live.

COUNTY ATTORNEY

17. Update on Various Legal Issues

Mr. Weiss told Mr. Presnell it had been a pleasure to work with him and hoped him best in his retirement.

DISCUSSION ITEMS BY COMMISSIONERS

18. Report and Discussion of Public Issues

Commissioner Brenda A. Holt, District 4

Chair Taylor welcomed Mrs. Jackson aboard.

She said they needed to look at the issue of the one person left on the search for Manager. She further stated she thought over a year was too long to go on with this process.

Commissioner Anthony "Dr. V" Viegbesie, District 2

Commissioner Viegbesie asked for a Proclamation.

UPON MOTION BY COMMISSIONER VIEGBESIE FOR A PROCLAMATION FOR DR. ROBERT GAINES

AND SECOND MADE BY COMMISSIONER HINSON, THE BOARD VOTED 4-0 BY VOICE VOTE TO APPROVE THIS ITEM.

He echoed the sentiment of his fellow commissioners in welcoming Mrs. Jackson aboard and said she was familiar with the "A-team" and he was looking forward to working with her.

Commissioner Eric Hinson, Vice Chair, District 1

Commissioner Hinson asked for a special Resolution for his Aunt that passed away last week, Betty Bryant.

Commissioner Gene Morgan, District 3

Commissioner Sherrie D. Taylor, Chair, District 5

Chair Taylor said with regards to Mrs. Jackson, they needed to get with the Attorney to bring back a contract and there needed to be a salary adjustment.

Commissioner Holt said they did not say a start date and Chair Taylor said it had to be the 31st-

RECEIPT AND FILE

19. Death Resolutions

UPCOMING MEETINGS

20. November 7, 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 9:34 P.M.

GADSDEN COUNTY, FLORIDA

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

ATTEST:

NICHOLAS THOMAS, Clerk