

**AT A REGULAR MEETING OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON NOVEMBER 19, 2013 AT 6:00  
P.M., THE FOLLOWING PROCEEDINGS WERE HAD, VIZ:**

Present: Eric Hinson, District 1-Outgoing Vice Chairman  
Doug Croley, District 2-Outgoing Chairman  
Gene Morgan, District 3  
Brenda Holt, District 4  
Sherrie Taylor, District 5  
Nicholas Thomas, Clerk of Court  
Robert Presnell, County Administrator  
David Weiss, County Attorney  
Marcella Blocker, Deputy Clerk

**INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Chair Croley called the meeting to Order at 6:01 p.m. and asked everyone to please stand for the Invocation and the Pledge of Allegiance to the U. S. Flag. A silent roll call was taken by Marcella Blocker, Deputy Clerk.

**AMENDMENTS AND APPROVAL OF AGENDA**

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HINSON, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE AGENDA AS PRINTED.**

**AWARDS, PRESENTATIONS AND APPEARANCES**

**1. Election of the Chairman and Vice Chairman**

Mr. Presnell introduced the above item.

Commissioner Holt nominated Commissioner Hinson and he accepted. Commissioner Morgan nominated Commissioner Croley. Commissioner Croley declared if Commissioner Hinson wished to serve, he did not want to stand in his way and withdrew the nomination. Commissioner Morgan then seconded Commissioner Holt's nomination.

**THE BOARD VOTED 5-0 BY VOICE VOTE IN FAVOR OF THE NOMINATION OF COMMISSIONER HINSON AS CHAIR.**

Chair Hinson then opened the floor for nominations for Vice Chair. Commissioner Taylor nominated Commissioner Holt. Commissioner Morgan seconded.

**THE BOARD VOTED 5-0 BY VOICE VOTE IN FAVOR OF THE NOMINATION OF COMMISSIONER HOLT AS VICE CHAIR.**

Chair Hinson thanked Commissioner Croley for an outstanding job last year on his term as Chair.

**CLERK OF COURTS**

**2. County Finance and County Clerk Issues**

Clerk Thomas said tonight he had no report but would have a recap at the next meeting.

**CONSENT**

Commissioner Croley asked to pull Item 5 for discussion.

**UPON MOTION OF COMMISSIONER MORGAN AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 TO APPROVE ITEMS 3, 4, 6-9 OF THE AGENDA.**

**3. Approval of Minutes:**

- October 15, 2013 Regular Meeting
- October 21, 2013 Value Adjustment Board Meeting

**4. Ratification of Approval to Pay County Bills**

**~~5. Approval of the 2014 Holiday Schedule~~ Pulled for discussion.**

**6. Approval to Dispose of Surplus Property and Equipment**

**7. Approval of Library Plan of Service 2013-2014**

**8. Approval of an Interlocal Agreement with the City of Chattahoochee for the Paving of River Landing Road**

**9. Approval to Apply for the Assistance to Firefighters Grant**

**ITEMS PULLED FOR DISCUSSION**

**5 Approval of the 2014 Holiday Schedule**

Commissioner Croley said It was his opinion that twelve holidays were excessive and he could live with eleven.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-1 TO APPROVE ITEM 5. COMMISSIONER CROLEY OPPOSED.**

**CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS**

There were no citizens requesting to speak.

**PUBLIC HEARINGS**

**10. PUBIC HEARING-APPROVAL OF CLOSE-OUT BUDGET AMENDMENTS FOR FY 2013**

Mr. Presnell introduced the above item and said it was for Board approval of the close-out budget amendments for 2013. He further explained this was a clean-up item and this was done each year to close out the last year's budget. Chair Hinson announced this was a public hearing and asked if anyone wished to speak regarding this matter and there was no-one.

**UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 TO APPROVE THIS ITEM.**

**GENERAL BUSINESS**

**11. Approval of Request for Information System Contract**

Mr. Presnell introduced the above item and said the item was seeking board approval to purchase software for the Probation Department. He added it had been discussed to streamline the operation to make it more efficient and this was the platform chosen.

Commissioner Taylor had questions regarding the contract.

**Martha Chancey, Probation Division Manager** appeared before the Board to answer questions the Commissioners had. She explained there would be two payment installments of \$9,250 and after then there would be an annual fee of \$2,400 for maintenance.

Commissioner Morgan said several months ago they held a workshop pertaining to the privatization of the probation department and a company came in for the presentation. The Board found they were short-changing the Probation Department by them not having everything they needed to do their job to be best of their ability.

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

**12. Approval of Economic Development Professional Services Contract**

Mr. Presnell introduced the above item and said it was for approval of the contract that they had instructed the Economic Council to proceed with.

**Mr. Howard McKinnon, Vice-Chair of the Gadsden County Economic Development Council, 207 Fairway Drive, Havana, FL**, appeared before the Board and said a contract was before them for approval, that they had previously approved the concept for funding of the Gadsden County Development Council and he was present to answer any questions they might have and to ask that they approve the contract.

Commissioner Morgan had questions for Mr. McKinnon and he responded to them. Commissioner Morgan asked specifically about the number of jobs to be produced for the year and said that was not included in the agreement. He mentioned to the Board that might be something they would want to add at a later date.

Commissioner Holt said she had spoken with Mr. Presnell concerning the agreement and she was looking for someone committed to bringing jobs to the County.

Commissioner Taylor had comments regarding the Council and added they needed to schedule a meeting with the Council to accomplish some of their goals.

Mr. McKinnon introduced **Ms. Beth Kirkland, 3950 Shumard Oak Blvd., Tallahassee, FL**, as the new Director and she appeared before the Board and had a few words. Ms. Kirkland stated that economic development was a “team-sport” and it would take all of the stakeholders in the

community, both public and private, to execute the plan that would be developed.

Commissioner Croley said the Commission had made a decision to go in a different direction rather than contract with the Chamber of Commerce as had been done previously, and it was a decision he supported. He wanted to make sure everyone understood the Board was contracting with the Gadsden County Development Council, Inc. and not contracting with Ms. Kirkland.

Mr. McKinnon clarified that they had not entered into a contract at this point with Ms. Kirkland because it hinged on what happened with the Council and the Board, but they felt the sense of urgency and started things in motion.

**UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER TAYLOR WITH A REQUEST THAT THE CONTRACT BE AMENDED TO HAVE REPORTS EVERY TWO MONTHS AS OPPOSED TO QUARTERLY. BEFORE THE VOTE WAS TAKEN, THERE WAS DISCUSSION AMONG THE BOARD.**

Commissioner Croley stated he was not interested in amending the motion because they would have a representative on the Council being Mr. Presnell and he would make sure there were reports on a timely basis. He added that the scope of the work was set forth, the contract was ready, it could be signed and move forward, but if it was amended, it would need to be re-worked. He suggested moving forward and if Commissioner Taylor wanted to make a motion to have the reports on a different basis, he did not have a problem with that.

Commissioner Morgan said he wanted to clarify that the previous group that had the contract did provide quarterly emails and reports on a timely basis. He said that in the future on every agenda; why not add an economic development item for activity ahead of the consent agenda.

**THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE ITEM 12.**

**UPON MOTION BY COMMISSIONER TAYLOR TO AMEND THE REPORTING TO EVERY TWO MONTHS AND HAVE IT AGENDAED AS SUCH AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-1 BY VOICE VOTE. COMMISSIONER CROLEY OPPOSED.**

**13. Accepting Existing Non-Maintained Roads into the County Road System**

Mr. Presnell introduced the above item and said the Board had asked staff to look into the possibility of accepting existing private roads for maintenance to become county roads and it was before the Board tonight for further direction on that process.

Commissioner Taylor said this was one she asked to have on the agenda to look at, but the way it was written, it was not in a positive light and was not fair. There were a lot of private roads on the list and she was looking for a benefit as opposed to it being a cost issue.

Mr. Presnell said a number of the roads on the list would have to have trees removed, culverts installed, the roads built up and it was a concern to the Public Works Director, but they did not know what roads the Commissioners would pick. He explained the steps that would need to be taken regarding the process.

Commissioner Holt said she was interested in this matter.

Commissioner Morgan said he hoped everyone was listening to the conversation because they were talking about a tremendous initial cost for the county to do this and beyond that, the upkeep would be tremendous as well and would be a “disaster in the making” from a financial standpoint. He pointed out, once again, that “we are a broke, rural county” and the funds were not there to entertain something like this. He cautioned the Board that this was not a project for a County of our size to undertake.

Chair Hinson said he was not endorsing Commissioner Croley or Commissioner Holt, but the county was not broke and was in pretty good shape.

Commissioner Holt asked how much was still owed on the road paving bond.

Mr. Presnell said there were three more payments due, it had just been refinanced and the amount was around \$650,000 that was owed.

Commissioner Taylor suggested that each Commissioner submit a road for Staff to look into for paving, let the Administrator review it and then they could make a more informed decision.

Chair Hinson asked for the pros and cons with the paving.

Mr. Presnell said pros would be helping the folks that lived on the roads, he could name roads that could be graded and maintained if they were not talking about paving. He added that some would be expensive with regards of having to build them up in order to pave.

Commissioner Croley said people that bought property and lived on county roads are expecting them to be maintained and that was not always happening because the resources were not there. He reminded them they were not an isolated county, but they were part of the MPO (Metropolitan Planning Organization). He advised them that “fools rush in where angels fear to tread” and cautioned them to be careful where they go rushing into because he was afraid they were opening up a Pandora’s box that they had not thought about.

There was discussion around the Board concerning the paving of roads and the process in place.

Chair Hinson asked if they wished to table the matter and Commissioner Taylor said no, the Administrator was looking for direction.

Commissioner Croley asked that they look at all the private subdivisions that maintain their own roads because all the subdivisions were not included on the list.

**14. Randolph & Johnette Kyllonen, Parcel ID #: 2-27-3N-5W-0000-00330100/Code Enforcement**

Mr. Presnell introduced the above item and asked for direction from the Board for correction of a code violation on the property owned by the Kyllonens that was located at 7365 Hardaway Highway, Chattahoochee, FL. He explained they had been cited and had been sent a Notice to Appear before the Magistrate. The property owners have thusfar failed to comply with the Order and staff was looking for direction from the Board on whether to take action to correct the violation.

Mr. Weiss explained the Code Enforcement process, the property owners had not corrected the violation within the allotted timeframe, and a hearing had taken place before the Magistrate. He added that the cost of the clean-up could be imposed in addition to fines and administrative costs that would be recorded in the official records and would become a lien on the property and staff was now asking the Board how they wished to proceed.

Commissioner Morgan said it was his personal opinion if they did not comply, the County needed to take care of the problem and he would like to see the quickest way of doing this. He added that the problem with this particular property had been ongoing for approximately three and one-half years.

Commissioner Croley asked the attorney if the vehicles could be seized and sold and the money then accredited to the lien.

Mr. Weiss said if it was a violation of the Code and the Board found that it was a serious threat to the public health, safety and welfare, they could do what was needed to clean up the property. He added they probably should give the property owner the chance to get the property back before it was sold and the County would have to place a hold on the items for a certain number of days to allow the property owner time to purchase the items back.

Commissioner Croley stated with the hydraulic oils, fuel, motor oil, etc. in the vehicles, there was a potential for pollution to the environment, along with the vermin and snakes that were there creating a problem.

Mr. Weiss stated by them removing the property to correct the code violation, the seized items did not become the county's property.

Commissioner Holt stated this was a junkyard and asked if they wanted to make this into a commercial junkyard, what the property owners would need to do if they wanted to comply and keep the vehicles. She added if the vehicles were removed, there would have to be a place to store them because they could not be sold, and then if the property owners get the vehicles back, did they have the right to put them back on the property?

Commissioner Morgan said it was not fair to the surrounding citizens and the property owner had been given ample time to correct the problem. He suggested giving them ten days, start fining them on day one, if not corrected, then the County would correct.

Chair Hinson asked if there were homeowners in close proximity of the property.

Clyde Collins appeared before the Board and stated there were two homeowners that lived adjacent to the property.

Commissioner Croley pointed out the language in the Court Order clearly stated that "...[the County] is hereby authorized to take all necessary action to remove and dispose of the property described above, and to place a lien against the property for the amount of the cost of removal and disposal of the property". He stated his interpretation was the County had the right to sell the items seized without holding it to allow the property owner the chance to redeem it.

Mr. Weiss said the Magistrate would have the final say, he was cautioning the Board in taking anyone's property if it had any value and selling it without giving them the opportunity to get it back.

**Mary Smith, 3137 Atwater Road**, appeared before the Board and said she had the same problem with Code Enforcement. She said she has a neighbor that lives in a residential area that repairs cars and has a lot of vehicles on his property also and asked the Board to enforce the Codes for everyone.

Commissioner Taylor asked if the property owner was present, because from the pictures there appeared there were several attempts at contacting the owners.

**UPON MOTION TO COMMISSIONER MORGAN AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE OPTION ONE.**

**Approval of Agreement with The Management Experts, LLC to Provide Emergency Management Training**

Mr. Presnell introduced the next item and said Major Wood would present the item.

**Major Shawn Wood, Gadsden County Sheriff's Office**, appeared before the Board.

**UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

**16. Approval to Accept the Department of Homeland Security Grant for Exercise and Courthouse Security Enhancement/Contract #14-DS-L5-02-29-01 (CFDA#97.067)**

Presnell introduced the above item.

Commissioner Taylor asked if there were any matching funds for the grant and Major Wood said there was not.

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

**17. Official Adoption of Resolution #2013-030 for The Amended Gadsden County Local Mitigation Strategy Plan**

Mr. Presnell introduced the above item.

**UPON MOTION BY COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE.**

Major Wood asked if he could introduce some of the new officers that were present; he said Major Morgan has gone into part-time status and Captain Robert Barkley has been promoted to the rank of Major. Major Mills came from Leon County and was in charge of the reserve unit and would help with the grant for the Courthouse, Captain Ashley had been a Major with Florida Highway Patrol, Captain Terry Meek had previously been with Florida Department of Law Enforcement, Captain Henry Miller had been promoted and was at the Jail, Vincent Crump had

been promoted to Captain, Herb Sheehan had come aboard and been promoted to Captain and Tashonda Whaley was promoted to the Coordinator spot with Emergency Management, and not present was Chief Howard Smith, who would handle hazmat duties.

Commissioner Croley asked if Major Wood was Emergency Management or if he was in Law Enforcement.

Major Wood said he was both.

#### **COUNTY ADMINISTRATOR**

##### **18. Update on Board Requests**

Mr. Presnell reminded the Board of the Courthouse celebration and said there were two scheduled - one for Saturday, November 23<sup>rd</sup> at 12:30 p.m. at the Gadsden Arts Center and one for Friday, December 6, at 3:00 p.m. at the Courthouse.

#### **COUNTY ATTORNEY**

##### **19. Update on Various Legal Issues**

Mr. Weiss said he had nothing to report.

#### **DISCUSSION ITEMS BY COMMISSIONERS**

##### **20. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County**

###### **Commissioner Taylor, District 5**

Commissioner Taylor asked about the status of the Town Hall Meetings.

Mr. Presnell informed her it was to be on the next agenda.

###### **EMS Site**

She said she had brought up a few meetings ago the potential site for the EMS facility, had some second thoughts and had asked to have it placed on the agenda again.

Mr. Presnell said there had been discussion of her rescinding the vote and asked Mr. Weiss if it would have to be done tonight before they could discuss the item or if it could be done simultaneously.

Mr. Weiss said it could be brought back as an item.

Chair Hinson said he thought the only ones who could vote on it would be Commissioner Holt and he and he would be happy to bring it back up.

Commissioner Holt asked why not place the ambulance service at the hospital and Commissioner Taylor said the grant would cover retrofitting the car lot site, but not at the hospital and she did not want to see anything at the hospital other than hospital beds.



She asked for a list of contributions from the participating municipalities in the economic development council.

*Commissioner Morgan stepped out at this juncture of the meeting.*

*Commissioner Taylor left the meeting at this point.*

**Commissioner Holt, District 4**

Commissioner Holt asked for information relating to the percentage of local and minority hiring requirements with the County.

*Commissioner Morgan returned at this juncture of the meeting.*

**Commissioner Morgan, District 3**

Commissioner Morgan had nothing to report.

**Commissioner Croley, District 2**

**CRTPA Update**

Commissioner Croley gave a brief report from the CRTPA meeting. He also informed the Board that a dredge permit application had been put in for the port at St. Joe and hopefully it would go through and the dredging of the shipping channel could commence.

He also said Gadsden County remains the only county without a bike trail, but that was in the works.

He also said he had sent out an update regarding the lighting at the interchanges, and once the designs are in place, they would be possibly able to leverage some opportunities to move the project up for actual construction rather than the previous timeline.

He then congratulated Chair Hinson on the election as Chair and Commissioner Holt on her election as Vice Chair.

**Commissioner Hinson, District 1**

Chair Hinson said once again that Commissioner Croley had done an excellent job as Chair during his term.

He then discussed the conference he attended in Daytona and mentioned some of the topics that were discussed.

**RECEIPT AND FILE**

**DECEMBER MEETING(S)**

- December 3, 2013, Regular Meeting, 6:00 p.m.
- December 17, 2013, Regular Meeting, 6:00 p.m.

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HINSON DECLARED THE**

**MEETING ADJOURNED AT 7:57 P.M.**

**GADSDEN COUNTY, FLORIDA**

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**ERIC F. HINSON, Chair**  
**Board of County Commissioners**

**ATTEST:**

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**NICHOLAS THOMAS, CLERK**