

**AT A REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD IN AND FOR GADSDEN
COUNTY, FLORIDA ON FEBRUARY 17, 2014 AT 6:00
P.M., THE FOLLOWING PROCEEDING WAS HAD, VIZ:**

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

INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

Chair Hinson called the meeting to Order at 6:08 p.m. He asked everyone to stand for the Invocation and then led everyone in the Pledge of Allegiance to the U.S. Flag. A silent roll call was done by Marcella Blocker, Deputy Clerk.

AMENDMENTS AND APPROVAL OF AGENDA

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

Commissioner Croley stepped in at this juncture of the meeting (he had been present from the workshop previously held).

AWARDS, PRESENTATIONS AND APPEARANCES

1. Presentation on the New County Website

Kembrew Jackson, Myron Williams and Olivia Smith appeared before the Board and introduced the new County Website to everyone and gave an overview of it. He and Olivia Smith explained the four key features of the website and gave the Commissioners a preview of it.

Commissioner Croley congratulated them on a great job and asked when a work order was filled out by someone on the website, did that individual receive a confirmation of the job and also asked if credit card payments would be accepted for permits, etc. and asked about the possibility of a mobile app that could be available.

Commissioner Morgan said this was a great job and was very pleasing, had better access, and was better than he anticipated. He asked under the agenda items, if the minutes would be posted to the county website. Ms. Smith explained an extra tab could be added for the minutes.

Commissioner Holt commented that submitting fees online was important.

Mr. Presnell said staff had been through training and the site could now be done in-house and

would save the County money.

CLERK OF COURTS

2. County Finance and County Clerk Issues

Clerk Thomas said he had two issues to discuss with the Board and the first was regarding the Tourist Development Council (TDC) and asked that the Board make a recommendation that might help make things smoother in that they consider requiring the County Attorney to attend the TDC meetings, take a proactive role in reviewing agreements and contracts. He went on to further explain the potential for problems.

Commissioner Croley said he thought it was a wonderful idea and having county attorney present might alleviate problems in the future and make the TDC process better.

Commissioner Holt stated she has only served on the Board for one meeting and if the documentation was not there, the money did not follow and they needed to look at the cost of having the county attorney attend the meetings. She added it was a good idea, but was not sure the costs in having the attorney attend the meetings.

Mr. Thomas said the second issue was he needed to inform the Board that the Clerk's finance department had not disbursed money to the Quincy CRA, but they have done so to Havana's CRA and the reason was because they had not received the required audit from the City. He further stated they had received a draft copy of the 2012 audit of the CRA, which described it as "a deteriorating financial condition" and referenced an attachment detailing the concerns that was not included and said the Finance office would not forward the monies without the approval of the Board of County Commissioners.

Commissioner Croley said he supported the Clerk and the City of Quincy in having the CRA funding looked at and supported an objective review in facilitating the audit.

Commissioner Holt said the problem she had with that was they should not facilitate an audit of another governmental agency.

Commissioner Croley said he wanted to work with the City and was not trying to get in a conflict with anyone and wanted everyone to know the County was doing things correctly.

Chair Hinson asked if any other counties were doing things in this manner and asked what documentation supported this procedure because he did not want to be perceived as "a bully".

Commissioner Croley said he wanted to clarify his statement and was not recommending that the County go in and do the audit, simply help facilitate the City if they needed the assistance.

Clerk Thomas pointed out it was the Board's policy to require financials of every department and was simply pointing out the potential for a problem.

Commissioner Holt said it was her opinion that nothing further be added to this conversation.

The Clerk clarified he was simply putting them on notice, would provide whatever documentation

he received and he would like the Board to make the decision whether they chose to disburse the money.

Chair Hinson said they wanted to treat everyone fair, if there was a problem, documents needed to be brought forth to have their support and did not want it to look like the Board was picking on anyone.

Commissioner Croley pointed out that Mr. Jack McLean, City Manager of Quincy, was in the audience and thought they ought to hear from him regarding this matter and did not want to do anything to hurt the Quincy CRA, but hoped to help them resolve this problem so they could have the monies disbursed.

Chair Hinson said he would like to have the information before them first and then hold a conversation after that.

Clerk Thomas clarified it was Board policy to require financials from everybody that they disburse money to before disbursing and there were issues a number of years ago that the County had with the CRA and Mr. McLean agreed that the City would have the CRA audited separately to alleviate county concerns at the time.

Commissioner Morgan thanked the Clerk for bringing this matter to the attention of the Board and asked if this was a Florida Statute and with Havana, what year was the audit from and Clerk Thomas responded it was 2013 and the 2013 CRA dollars were disbursed.

Commissioner Morgan then pointed out they were talking about the 2012 audit and they were talking about disbursing 2013 CRA dollars. He added the proper way to do it was to have the audit from 2012 and 2013 and at that point disburse the 2013 monies.

Attorney David Weiss said Florida Statutes required an annual audit of all CRA's and he wanted to make the Board aware that the Board was not involved in setting up Quincy CRA and had no involvement with regard to their Interlocal Agreement and further explained the governing Statute and how the taxing authority worked.

More discussion among the Commissioners followed.

Jack McLean, City Manager of the City of Quincy, appeared before the Board and said one reason he came to this meeting was to see why the Board was meeting on a Monday night as opposed to their usual Tuesday night meeting. He agreed with the attorney that the audit was a paper requirement, but differed in the opinion of what the audit should consist of.

Commissioner Croley clarified it was his opinion that the audit needed to be done **BEFORE** the money was disbursed.

Commissioner Taylor said the audit revealed very important information and she did want to see the dollars disbursed, but also needed to make sure the Clerk received what was needed and what state statute required.

Chair Hinson said before voting, he would like to see all the documentation and see what the other

counties were doing.

Commissioner Morgan pointed out they were talking about 2013 funds to be disbursed and should be based on 2013 information, just like the Town of Havana does every year.

Commissioner Morgan stepped out at this juncture.

Commissioner Holt reminded the board that they could not monitor the CRA and could not tell them how to spend the money.

Commissioner Morgan returned at this juncture.

Commissioner Croley said everybody needed to be held accountable.

Chair Hinson asked the Clerk that next time there was a controversial issue such as this, to please have all the information when he came to the Board, but that he did support the Clerk.

CONSENT

UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPROVE THE CONSENT AGENDA AS WRITTEN.

- 3. Approval of Minutes**
- 4. Ratification of Approval to Pay County Bills**
- 5. Adoption of Resolution No. 2014-005, Quincy By-Pass-Phase #1 in Gadsden County to be Designated as The “Julia Munroe Woodward Memorial By-Pass” and Designate the Naming of the South-Leg of the Quincy By-Pass (upon completion) the “Willie Ruth Williams Memorial By-Pass”**
- 6. The Small County Road Assistance Program Woodward Road-Florida Department of Transportation**
- 7. Approval to Accept the FY 2014 1st Quarter Report**
- 8. Approval of Professional Services Task Order #2014-137 with Preble-Rish, Inc. for Lewis Lane**
- 9. Grants-Approval of Resolution #2014-002 and Carry Forward Budget Amendments for FY 2014**

ITEMS PULLED FOR DISCUSSION

CITIZENS REQUESTING TO BE HEARD

PUBLIC HEARINGS

- 10. Public Hearing-Approval of Budget Amendments and Resolution 2014-001 for Fiscal Year 2013-2014**

Mr. Presnell introduced the above item and said this was to clean-up items in the current budget.

Chair Hinson asked if there were any citizens that wished to speak and there were none.

Commissioner Croley asked the Administrator if there was anything out of the ordinary or if there was anything the Clerk's Office had concerns about.

Mr. Presnell said no.

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

GENERAL BUSINESS

11. Approval of Award of Countywide Resurfacing Bid 14-03 to CW Roberts Contracting, Inc.

Mr. Presnell introduced the above item and said it was seeking Board approval of resurfacing of roads pertaining to a county-wide resurfacing bid and was a list of roads that had been approved by the Board some time back.

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

12. County Resurfacing Project-Additive Change Order

Mr. Presnell introduced the above item and said this was a similar item and after the low bid for the previous item, \$151,303.61 remained in the original budget and this Change Order would add additional paving in Lake Yvette and a couple of roads off High Bridge Road to use the remaining dollars.

Commissioner Croley asked if these were dirt roads or if was resurfacing paved roads.

The Administrator responded it was resurfacing.

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

13. Jones Joseph Frank Est. c/o Mary Blount; Parcel ID No.: 3-03-*2N-3W-0000-00212-0400

Mr. Presnell introduced the above item and said this was another code enforcement case and was seeking approval to move forward and possibly placing a lien on the property.

Commissioner Croley said this property was a burned-out house and had been vacant for a long time.

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

14. Discussion of BOCC Workshops to be held before each Regular Board of County Commissioners Meeting

Mr. Presnell introduced the above item and said staff had been requested by the Board to hold workshops before each meeting to discuss items for that meeting.

Commissioner Holt said she wanted this but it did not have to be before every meeting but would like to have a workshop at least once a month. She said she would like to have the workshops to stay on top of economic development and would also like to look at grants that might be available. She explained that the last meeting she attended in Escambia County; the Commissioners had aides that were present and could bring items to them during the meeting and that made it possible for them to stay on top of things.

Chair Hinson asked her if she was requesting an assistant or part-time person paying them \$15.00 an hour for everyone. He added that would help to make things run smoother.

Her response was that would be a budgeted item, but she was saying to put some time into it to try to get help to go after some of these items.

Commissioner Croley agreed workshops have their place, but that he did not want to be a party to cut out public by feeling that when they come to meetings, it seemed that everything had been agreed to beforehand.

Board discussion followed.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 3-2 BY VOICE VOTE TO APPROVE HAVING A WORKSHOP BEFORE MEETINGS ONCE PER MONTH. CHAIR HINSON AND COMMISSIONER CROLEY OPPOSED.

COUNTY ADMINISTRATOR

15. Update on Board Requests

Mr. Presnell stated recently issues had arisen regarding recycling and he informed the Board that it has been worked out with Waste Pro and was announcing that those citizens that have curb-side service could now add glass to their recycling.

Commissioner Morgan said he hoped they would be able to notify citizens in the County of the change.

He asked if the Board was interested in having a joint workshop with Planning and Zoning to outline legal issues and David Theriaque had offered his services to come help answer questions at no charge. The Board asked that Mr. Presnell get dates and get back with them to set this up.

He said there were two new fire trucks that came in and the event was scheduled for this Thursday at the Robertsville Fire Station.

Commissioner Croley asked about the jail inspection they had received and said the physical aspects of the jail seemed to be under control and the other items cited seemed to concern operations and asked if was safe to say that the problems this Board had with the Jail had been properly handled.

Mr. Presnell stated yes.

Commissioner Croley also asked about Economic Development and said Mr. Presnell was

representing the Board on the Development Council and asked how it was going.

Mr. Presnell stated that the Consultant the Council hired, Ms. Kirkland, had gone to municipalities doing an analysis and inventory of assets and there was another meeting last week where she brought in railroads and a lot of people that are big players in the economic development field, but the first task was getting a plan together. He added that they were scheduled to attend the second meeting in March to give a report to the Board.

Commissioner Morgan asked about the fire engine equipment and how it is placed throughout the county and if the County was in good shape strategically. Mr. Presnell said the Fire Chief assured him the next need is a water tanker for Sycamore.

COUNTY ATTORNEY

16. Update on Various Legal Issues

Mr. Weiss said with respect to the CRA, he was not saying the county could not provide support to the extent that if the CRA needed it with respect to an audit and if the County wanted to help out with that regard, he did not think it would pose a problem.

He also wanted to point out that the ethics requirements for the Commissioners is an annual requirement and the Ethics Commission suggests reporting compliance in a public meeting and filing the certificate with the Clerk so it would be on record.

He said he had done research regarding the Havana Heights apartment complex and generally anyone has the right to exclude anyone else from privately owned property, but there was a limited exception with police power dealing with public health, safety and welfare in the event of an emergency type situation and there may be exceptions to that general rule. He said he had a lot more questions but advised they needed to be careful if they wanted to get HUD involved.

Chair Hinson asked the attorney what his recommendation would be concerning this matter.

The Attorney's recommendation was to approach the private property owner and express concerns for residents in the event of emergencies.

Commissioner Croley said he would have a hard time supporting a letter without first seeing the lay-out of the property, but thought the attorney had done a good job in outlining options and suggested having the Fire Marshall investigate.

Mr. Collins said that had been done and no fire hazard was found.

Commissioner Holt suggested sending a letter to their corporate office and informing them of problems because they may not be aware of the situation.

UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5-0 BY VOICE VOTE THAT A LETTER BE SENT TO THE PROPERTY OWNER INFORMING THEM OF CONCERNS.

DISCUSSION ITEMS BY COMMISSIONERS

17. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County:

Commissioner Taylor, District 5

Commissioner Taylor said she had a brief conversation with Sheriff Young and heard the Social Security office is entertaining closing the Quincy office and asked the Board to consider sending a letter in support of keeping the office open.

UPON MOTION OF COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER CROLEY, THE BOARD VOTED 5-0 BY VOICE VOTE TO SEND LETTER OF SUPPORT ALONG WITH THE SHERIFF'S LETTER OF SUPPORT TO KEEP THE SOCIAL SECURITY ADMINISTRATION OFFICE OPEN.

She then stated they had talked in length of workshops needed and asked why road design was so tedious and what could be done by the county do to get a leg up with designs and funding.

She then had comments regarding the Jail, said doors were put in, painting done, installed an intercom system, but jail was still 40-60% over capacity every day. She said the inmates were not being rehabbed and they were not doing due justice with the quality of inmates being turning out from the jail. She asked if a workshop could be held and they look into a funding source to build out the jail. She asked how much time was left on the .01¢ sales tax (30 year deal).

Mr. Presnell said Board renewed it once and changed it to use for Public Works and Fire after the jail was paid off.

She said they had discussed using inmates for bidding for or doing mowing in District 5 and asked where things stood with that?

Commissioner Morgan, District 3

Commissioner Morgan said he agreed with the concerns of Commissioner Taylor with regard to the jail and that he did not know what the right answer was regarding that and right now it was made to hold 157 and holding an average of 182 inmates.

He then commended the staff on the upgraded website.

Commissioner Croley, District 2

Commissioner Croley asked why the meeting was on Monday and not the regular meeting on Tuesday. It was explained that the Board voted at the last meeting to change the meeting date instead of cancelling due to Former President Jimmy Carter speaking at Bainbridge Junior College on Tuesday so they could attend.

Commissioner Morgan stepped out.

Commissioner Taylor pointed out that she made it clear that it was **not** a mandated meeting for everyone to attend and she had no intentions of attending the program.

Commissioner Morgan returned at this juncture.

He said regarding the overcrowding at the jail-they were paying extra for transportation for a judge and should be hearing more cases and parole/probation cases should be dealt with more quickly and the overcrowding at the jail should not be as bad as what had been represented, but was not disputing the numbers Commissioner Taylor had mentioned. He asked Mr. Presnell the status of putting ones sentenced for misdemeanors on the work program with Public Works.

Mr. Presnell explained they currently had nine on the program.

He asked the status of the beautification monies with wildflower plan for the municipalities.

Mr. Presnell said it has been sent back to DOT for approval.

Curtis Young, Public Works Director, appeared before the Board and informed them that his Senior Engineer technician had spoken with Ms. Minor and she was sending paperwork to him by the end of the week and would get going again.

He then said that Chair Hinson frequently spoke as if he were the only Commissioner representing Havana and reminded him that he was responsible for half of Havana.

He asked the Administrator if it were possible on the website to set up a driving tour of the county.

He then pointed out to the Board that Mr. Frank Rowan, who was a regular attendee of the meetings, had been in the hospital and asked that the Commission send a card sending him get well wishes.

Commissioner Holt, Vice-Chair, District 4

Commissioner Holt said she felt the need to work closely with all boards and commissions that they have appointees on regarding contracts.

She announced that the TDC was having a workshop on March 3rd.

She then said the most important workshop to do right now is economic development.

She said she has been questioned why Talquin Electric's rates changed.

Commissioner Croley suggested they talk with the Talquin board because they were elected and was a member owned cooperative and the annual meeting was up-coming.

Commissioner Hinson, Chair, District 1

Chair Hinson asked if he and the Administrator could visit the jail soon and if there were any interventions, job training available there for the inmates.

Mr. Presnell said there were some programs available there, but he was not that familiar with what they were.

Commissioner Taylor said they were training them on some things, horticulture, etc. but capacity was the main concern.

He said Commissioner Morgan had brought up in the past a building in Chattahoochee that could be used for a jail.

Commissioner Morgan said he might be referring to an empty building that was on the campus of Florida State Hospital that he had wanted to talk to the appropriate people to see about moving the jail or a segment of the jail to that building, but there had been no interest.

Chair Hinson reminded everyone there was an ethics workshop on March 27th from 1:00-6:00 p.m.

Receipt and File

18. a. January 24, 2014 Letter from Florida Department of Economic Opportunity (Enterprise Zone Boundary Amendments)
b. Town of Havana Community Redevelopment Agency Annual Report

MARCH MEETING(S):

- March 4, 2014, Regular Meeting @ 6:00 p.m.
- March 18, 2014, 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 8:30 P.M.

GADSDEN COUNTY, FLORIDA

ERIC F. HINSON, Chair
Board of County Commissioners

ATTEST:

NICHOLAS THOMAS, Clerk