

**BOARD OF COUNTY COMMISSIONERS  
LEON COUNTY, FLORIDA  
Board Reorganization  
REGULAR MEETING  
November 17, 2020**

The Board of County Commissioners of Leon County, Florida met in regular session at 3:00 p.m. in chambers with Chair Bryan Desloge presiding. Present were Vice-Chair Rick Minor and Commissioners Nick Maddox, Bill Proctor, Kristin Dozier, Mary Ann Lindley, Jimbo Jackson, Brian Welch, and Carolyn Cummings. Also present were County Administrator Vincent Long, County Attorney Chasity O'Steen, and Clerk to the Board Beryl H. Wood.

Chair Desloge called the meeting to order at 3:00 p.m. and welcomed everyone to the Reorganization Ceremony of the Board of County Commissioners of Leon County, Florida. He also covered all CDC guidelines for all while in attendance and acknowledged this was the first meeting held back in Chambers since the start of the pandemic.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The Invocation was provided by Pastor Clarence Jackson, Pastor of the Destiny Church and Chair Desloge then led the Pledge of Allegiance.

**REMARKS AND PRESENTATIONS**

Chief Judge Jonathan Sjostrom presided over the Installation Ceremony. He introduced the Commission and went into the presentations:

- Presentation of Years of Service Pins to County Commissioners Dozier and Maddox both with 10 years of service by Chair Desloge.
  - Commissioner Lindley gave regards as to her service as a Leon County Commissioner.
  - Chair Desloge recognized her professionalism.
  - Commissioner Minor gave her the highest regards.
  - Commissioner Jackson acknowledge her tenure and professionalism.
  - Commissioner Proctor gave regards on the professionalism of them both.
  - Commissioner Dozier acknowledged the current Board and how they work together for the betterment of citizens of Leon County and looked forward to establishing the same with the new Board.

Commissioner Maddox

- Commissioner Proctor commented on how he has soared as a Commissioner.
- Commissioner Lindley acknowledged his outstanding leadership.
- Commissioner Dozier noted they started their journey together with Leadership Tallahassee and recalled that they were the last two Commissioners who joined together. She spoke of his professionalism.
- Commissioner Jackson expressed his gratitude for his leadership. He also acknowledged Commissioner Maddox for his work on affordable housing.
- Commissioner Minor acknowledged his leadership for the last 2 years.
- Commissioner Maddox commented that all he wanted was to be a part of the team. He stated his desire was that they be a team and operate with civility. He gave Commissioner Lindley his 10-year pin to remember him by.

#### Farewell Presentations to Commissioner Mary Ann Lindley

- Chair Desloge presented Commissioner Lindley with a framed picture of a canopy road and commented that she was an outstanding Commissioner and that he appreciated her service and advice.
- County Administrator Long commented on her 8 years of service to Leon County Commission and presented her with a framed newsletter and then presented a short video in her honor.
- County Attorney O'Steen gave her regards.
- Commissioner Minor thanked her for her honorable service.
- Commissioner Maddox commented how it was a pleasure to serve with her.
- Commissioner Jackson acknowledged her love for journalism and her professionalism as a Commissioner. He wished her a happy retirement.
- Commissioner Dozier echoed all the comments. She noted Commissioner Lindley was a pleasure to work with and had an attentive eye. She will be recognized as a champion for the good. She read a note from Commissioner Lindley that she presented to Commissioner Dozier when she was a young lady. Commissioner Dozier wished her happy retirement and thanked her for her service.
- Commissioner Proctor thanked Commissioner Lindley for her service.
- Remarks by Commissioner Lindley:
  - Commented on the honor and privilege to serve. She spoke to the civility of the Board. She recognized the Leon County staff. She congratulated the new Commissioners. She acknowledged her aide, Debbie Craig.

#### Chair Desloge (District 4) relinquished gavel to Vice-Chair Minor.

- Vice Chair Minor remarked on the leadership of Chair Desloge and recognized his work during the pandemic, balancing of the budget, and chairing the virtual meetings. He discussed Chair Desloge's legacy and presented him with an honorary gavel for his time as Chair and a framed photo for the 14 years of service to the Citizens of Leon County.
- County Administrator Long presented a collage of this past year of service and his 14 years of service. He talked about how the unprecedented the challenges of this year have been and then showed a short video in Chair Desloge's honor.
- County Attorney O'Steen thanked him for his service.
- Commissioner Maddox mentioned that Commissioner Desloge showed him how to lead on a national, state and local level.
- Commissioner Jackson recognized Commissioner Desloge's leadership through a tough year. Commissioner Jackson noted he was a grateful to serve along with him.
- Commissioner Dozier acknowledged how grateful she was that they were to serve the last 10 years together. She recognized his civility. She encouraged him to enjoy the next chapter of his life.
- Commissioner Lindley acknowledged him for being a great man. She recognized his leadership on all levels. She thanked him for this time together and wished him a happy birthday.
- Commissioner Proctor commented on his accomplishments. Commissioner Proctor thanked him for his service to the citizens of Leon County and wished him good luck and God's blessings upon him.
- Remarks by Commissioner Desloge:
  - He acknowledged the Board and staff. He thanked them for entrusting him to lead and discussed some of the highlights of his service and that he looked forward to the next chapter. He acknowledged his aide, Chris Klana, who worked tirelessly during this pandemic.

## **INSTALLATION OF COMMISSIONERS AND ADMINISTRATION OF THE OATH OF OFFICE**

The Honorable Chief Judge Jonathan Sjostrom presiding over Installation of Commissioners and Administration of the Oath of Office.

- Commissioner Jimbo Jackson was given the oath for a new 4-year term. He thanked the citizens of District 2. He acknowledged his wife Beth and other family and especially his daughter Ashley.
- Commissioner Brian Welch (District 4) was given the oath alongside his family. He thanked everyone and introduced his family. He acknowledged the voters of District 4 who have trusted him to service and promised to do his very best.
- Commissioner Carolyn Cummings (At Large) was given the oath alongside her family. She thanked all elected officials and spoke of the honor to be elected. She thanked the voters and pledged to do her very best for all the citizens of Leon County. She acknowledged her family that was in attendance with her.

## **REORGANIZATION**

The Honorable Gwen Marshall, Clerk of the Circuit Court and Comptroller, was recognized as presiding officer for the 2020-2021 reorganization. She thanked the Board and staff for their leadership and support for the Clerk's Office. She recognized dignitaries that were present.

Election of Chair:

- *Commissioner Maddox moved, duly seconded by Commissioner Dozier to nominate Commissioner Minor for Chair for the Leon County Board of County Commissioners. The motion carried 7-0.*

Election of Vice – Chair:

- *Commissioner Maddox moved, duly seconded by Commissioner Jackson to nominate Commissioner Proctor for Vice-Chair for the Leon County Board of County Commissioners. The motion carried 7-0.*

Administration of the Oath of Office to the newly elected Chair Rick Minor.

- Newly elected Chair Rick Minor gave remarks. He was presented the gavel. He acknowledged his family and thanked the Board for electing him as Chair. He noted this would be a very challenging year and there are no other people he would like to serve along. He stated this would be a year of regrowth.
- *The regular public meeting will reconvene following the recess at 4:17pm.*
- *Commissioner Maddox moved, duly seconded by Commissioner Welch, to take a recess. The motion carried 7-0.*

The regular public meeting reconvened at 4:35 p.m. following the recess.

## **AWARDS AND PRESENTATIONS**

Update on Coronavirus Disease 2019 (COVID-19)

- County Administrator Vincent Long stated that this was the first in-person meeting in Chambers since the Governor's Executive Order expired. He provided a brief overview of the County's CARES Act funding and the new Treasury guidance. He noted at the Board's December 8, 2020 meeting, he will address CARES funding.

- Commissioner Proctor acknowledged the County Administrator for the mitigation efforts made in the Chambers. He stated that the COVID-19 numbers are spiking across the nation and reflected on the possibility of returning to virtual meetings.
- Commissioner Welch reflected on the difficulty of enforcing the mask mandate and encouraged citizens to wear masks.
- Commissioner Jackson confirmed with Claudia Blackburn that the positivity rate for the last three weeks in Leon County has been around 5%. He stated that the local school system has seen success in encouraging students to wear masks and that the Board should lead by example.
  - Claudia Blackburn, Health Officer for the Florida Department of Health in Leon County, shared that wearing a mask continues to be an effective way to prevent the spread of COVID-19 and encouraged everyone to wear them.
- Commissioner Maddox noted the citizen input he has received regarding the mask mandate and the limits imposed on enforcement by the Governor’s Executive Order. He confirmed with the County Administrator that CDC guidance is to limit the number and duration of congregate indoor meetings.
  - Commissioner Dozier recalled the County’s mask mandate as it relates to the spike in COVID-19 cases. She confirmed with the County Attorney that the enforcement measures in the County Ordinance are acknowledged as ineffective due to the Governor’s order. However, the Governor’s order prohibiting collecting fines will expire on November 24th unless extended. She reflected that the Ordinance reflects the best guidance for COVID mitigation.
  - County Attorney O’Steen confirmed that business establishments are only required to display the signage and are not tasked with enforcement of the County’s mask ordinance.
- Commissioner Proctor motioned for a letter from the Chair to the Governor requesting that home rule counties have the ability to make the decision to allow the Commission to meet virtually. The motion was seconded by Commissioner Maddox.
  - Commissioner Cummings stated her support of the motion.
  - Commissioner Minor reflected on students meeting in-person in classrooms.
  - Commissioner Dozier offered a friendly amendment that the letter also includes county sunshine committees and boards.
  - Commissioner Proctor, maker of the motion, stated that he would leave it to the discretion of the Chair. He reflected that the schools have the options to attend in-person or virtually.
  - Chair Minor confirmed with the County Attorney that the letter would mirror the original Governor’s executive order.
  - Commissioner Maddox reflected on the need for a resolution in lieu of a letter and confirmed with the County Attorney that a resolution is appropriate. He offered an amendment to the motion to change from a letter to a resolution. Commissioner Proctor accepted the amendment.
  - County Attorney O’Steen stated it would be appropriate to use a resolution and that this shows the cohesiveness of the Board.

*Commissioner Proctor moved, duly seconded by Commissioner Maddox, to request a resolution urging the Governor to reinstate the original executive order to allow for virtual meetings of local government bodies. The motion carried passed 7-0.*

## **CONSENT**

*Commissioner Dozier moved, duly seconded by Commissioner Welch, to approve the Consent Agenda, with the exception of item 4, 7, and 16. The motion carried 7-0.*

**1. Minutes: May 21, 2020 Special Meeting; May 26, 2020 Joint Public Hearing; June 9, 2020 Special Meeting and September 29, 2020 Regular Meeting**

*The Board approved Option 1: Approve the minutes of May 21, 2020 Special Meeting; May 26, 2020 Joint Public Hearing; June 9, 2020 Special Meeting and September 29, 2020 Regular Meeting.*

**2. Payment of Bills and Vouchers**

*The Board approved Option 1: Approve the payment of bills and vouchers submitted for November 17, 2020 and pre-approve the payment of bills and vouchers for the period of November 18, 2020 through December 7, 2020.*

**3. Appointments to the Code Enforcement Board and the Tallahassee-Leon County Commission on the Status of Women and Girls**

*The Board Approved Options 1-2:*

*Option # 1: Ratify Commissioner Jackson's appointment of a citizen, Michael Gagliardi, to the Code Enforcement Board for the remainder of a three-year term ending July 31, 2023.*

*Option #2: Ratify the Commission on the Status of Women & Girls' appointment of a citizen, Sarika Griffin, to the Tallahassee-Leon County Commission on the Status of Women and Girls for the remainder of the unexpired term ending September 30, 2021.*

**4. Government Alliance on Race and Equity Membership – pulled by Commissioner Minor - PULLED**

**5. Ratification of Board Actions at the October 27, 2020 Workshop on the 2021 State and Federal Legislative Priorities**

*The Board approved Option 1: Ratify the actions taken by the Board at the October 27, 2020 Workshop on the 2021 State and Federal Legislative Priorities.*

**6. Request to Schedule Two Public Hearings to Consider a Development Agreement Between Leon County, Pepe Silvia Group, LLC and the Estate of Samuel William Crowder, for January 26, 2021 and February 9, 2021**

*The Board approved Option # 1: Schedule two Public Hearings to consider a Development Agreement between Leon County, Pepe Silvia Group, LLC and the Estate of Samuel William Crowder (Attachment # 1), for January 26, 2021 and February 9, 2021 at 6:00 p.m.*

**7. Proposed Voluntary Annexation of the Residential Phases I, IA, II & III of the Fallschase Planned Unit Development pulled by Commissioner Dozier - PULLED**

**8. Proposed Voluntary Annexation of Six Parcels or Portions Thereof Located Between East Paul Russell Road, Tram Road and South Blairstone Road**

*The Board approved Option 1: Do not object to the proposed voluntary annexation of the five (5) English properties or a portion thereof and one (1) City of Tallahassee owned parcel located between East Paul Russell Road, Tram Road and South Blairstone Road.*

**9. FY 2020 Year-End and FY 2020 Carry Forward Adjustments and Update on Improvements to the Federal CARES Reimbursement Process**

*The Board approved Options 1 -2:*

*Option #1: Authorize the carry forward of FY 2020 appropriations to the FY 2021 budget by adopting the Resolution and Budget amendment (Attachment #1).*

*Option #2: Approve the FY 2020 year-end budget adjustments, and the Resolution and Budget Amendment (Attachment #2).*

*Public Speaker:*

*Stanley Sims, 1320 Avondale Way, reflected on the inability of unregistered nonprofits to receive CARES funds. He expressed appreciation for the outreach from staff including the County Administrator, Vincent S. Long and Ben Pingree, Director of PLACE.*

**10. FY 2021 Primary Health Care Program Agreements**

*The Board approved Option 1: Approve the FY 2021 Agreements with Bond Community Health Center, Inc., Neighborhood Medical Center, Inc., Apalachee Center, Inc., Capital Medical Society Foundation/We Care Network, and the Florida A&M University College of Pharmacy to provide health care services for qualified county residents and authorize the County Administrator to execute (Attachments #1, #2, #3, #4 and #5).*

**11. Agreement with Apalachee Center, Inc. for the Provision of State-Mandated Baker Act and Marchman and Marchman Act Services**

*The Board approved Option 1: Approve the Agreement with Apalachee Center, Inc. for Baker Act and Marchman Act state-mandated services for FY 2021 (Attachment #1) and authorize the County Administrator to execute.*

**12. Acceptance of Maintenance Agreement and Surety Device for Rivers Landing Phase IIA Subdivisions and Approval of the Plat for Rivers Landing Phase IIB Subdivision**

*The Board approved Options 1-2:*

*Option #1: Authorize the County Administrator to accept the Maintenance Agreement and Surety Device for Rivers Landing Phase IIA Subdivision (Attachment #1).*

*Option #2: Approve the plat of Rivers Landing Phase IIB Subdivision for recording in the Public Record (Attachment #2), contingent upon staff's final review and approval and authorize the County Administrator to accept the Performance Agreement and Surety Device in a form approved by the County Attorney (Attachment#3).*

**13. Extension of Solid Waste Consulting and Engineering Services Agreement**

*The Board approved Option 1: Authorize the County Administrator to extend the Agreement with Locklear & Associates, Inc., for Solid Waste Consulting and Engineering Services.*

**14. Resolution in Support of a Florida Department of Transportation Grant Application to Construct Five Safe Routes to School Sidewalk Projects**

*The Board approved Option 1: Adopt the Resolution in support of the Florida Department of Transportation grant application to construct sidewalks on Woodville Highway, Canyon Creek Road, Shumard Road, Westway Road, and Sherborne Road (Attachment # 1).*

**STATUS REPORTS: (THESE ITEMS ARE INCLUDED UNDER CONSENT).**

**15. Status Update on the Capital Area Sustainability Compact Administrator Role**

*The Board approved Option 1-2:*

*Option # 1: Ratify the recommendation of the Capital Area Sustainability Compact members to approve the Apalachee Regional Planning Council as the Compact Administrator and allocate \$4,970 for the role.*

*Option #2: Direct \$3,830 funding to Sustainable Tallahassee in one-time support of their strategic planning initiative.*

**16. Status Update Regarding Curbside Collection Service Provided by Waste Pro. Inc. – PULLED**

**CONSENT ITEMS PULLED FOR DISCUSSION**

**4. Government Alliance on Race and Equity Membership**

Chair Minor pulled this item from the Consent Agenda. He is in support of G.A.R.E and the County’s plan to start with the CHSP process. He asked for a motion to direct staff to bring back a status report in 6 months.

*Commissioner Maddox moved, seconded by Commissioner Proctor to approve Option # 1 as amended: Approve county membership in the Government Alliance on Race and Equity organization and direct staff to bring back a status report in six months evaluating the GARE toolkit in the CHSP process and exploring the possibility to expand the use of the GARE toolkit to other County Departments;*  
*and*

*Option #2: Authorize the use of contingency funds in the amount of \$2,000 to pay the initial cost for the County’s GARE membership and approve the associated Budget Amendment Request.*

*The motion carried 7-0.*

- Commissioner Maddox asked that the Board adhere to policy that discussion follow after a motion or waive the policy and give the Chair discretion.
- Chair Minor stated that should the Board wish to change its procedures; the policy should be amended.

**5. Proposed Voluntary Annexation of the Residential Phases I, IA, II & III of Fallschase Planned Unit Development**

This item was pulled from Consent by Commissioner Dozier.

- Commissioner Dozier made a motion for Option 1, seconded by Commissioner Maddox. She stated her support of the annexation and commended staff for the Buck Lake Alliance Agreement.

*Commissioner Dozier moved, duly seconded by Commissioner Maddox to approve Option # 1: Do not object to the proposed voluntary annexation of the Residential Phases I, IA, II & III of the Fallschase PUD and approve an Annexation Agreement between the City of Tallahassee, Leon County and RMDC, Inc. in substantial conformance with Attachment #1 and authorize the County Administrator to execute the Annexation Agreement, upon final approval as to legal sufficiency by the County Attorney's Office.  
The motion carried 7-0.*

#### **16. Update Regarding Curbside Collection Service Provided by Waste Pro, Inc.**

Item pulled from Consent by Commissioner Dozier.

- Commissioner Dozier confirmed that this is the second quarterly report and made a motion for Option #1, seconded by Commissioner Maddox.
- Commissioner Proctor reflected on the need for the elements of GARE to be incorporated into the practices of County vendors.

*Commissioner Dozier moved, duly seconded by Commissioner Maddox to approve Option #1: Accept the status update regarding curbside collection service through Waste Pro, Inc.  
The motion carried 7-0.*

**CITIZENS TO BE HEARD ON NON-AGENDAED ITEMS** (3-minute limit per speaker; there will not be any discussion by the Commission).

*Citizens wishing to provide input on any item(s) on the published agenda (or a non-agenda subject) for the upcoming meeting may:*

- Provide in-person comments during the meeting; or
- Submit their written comments prior to the meeting using the following link <https://leoncountyfl.gov/PublicComments>; or
- Register to provide comments using communications media technology during the meeting through the registration form using the following link <https://www2.leoncountyfl.gov/coadmin/agenda/>

The following Citizen Comments were received via online submission:

- Bradley Hewitt, 3348 Sedona Road, commented in support of a report on the efficacy of the gun ordinance.
- Feng Ji, 2555 Carthage Lane, commented in support of reducing the indoor capacity of restaurants, bars and gyms.

The following citizen provided comments in-person:

- Barney Bishop III, 2215 Thomasville Road, spoke in support of the mask mandate without penalties, and in support of businesses requiring masks.



## **GENERAL BUSINESS**

### **17. Status Report on Financing Options Available for Minority and Women-Owned Small Business Enterprises and Authorization to Partner with FAMU Federal Credit Union to Establish a \$1 Million Revolving Microlending Program**

County Administrator Long introduced the item. He stated this item seeks Board acceptance of a status report on funding availability for minority and women-owned small business enterprises. This item also seeks the Board's authorization to partner with FAMU Federal Credit Union to establish a \$1 million revolving micro-lending program to enhance and diversify the existing capital pool in the market with federal CARES Act stimulus funding.

The following citizens provided comments in person:

- Shelia Montgomery, 1610 S. Monroe Street, FAMU Federal Credit Union, spoke in support of the microlending program and reflected on the Credit Union's commitment to the community.
- Katrina Tuggerson, 1020 Lafayette Street, Big Bend Minority Chamber, spoke in support of the microlending programs.
- Antonio Jefferson, 914 Railroad Avenue, thanked the Board for their support of the motion for minority business. He reflected on the great community leadership and thanked Commissioner Minor and Commissioner Maddox for joining them at a recent meeting.
- Stanley Sims, 1320 Avondale Way, discussed the CARES Act funds and thanked the Board for their leadership. He asked that they rethink how they redistribute monies to minority businesses. He discussed sustainability economics.
- Commissioner Maddox made a motion for staff recommendation Options #1, #2 and #3, seconded by Commissioner Cummings.
- Commissioner Cummings reflected on the value of the program and stated her support of staff's recommendation.
- Commissioner Maddox made a subsidiary motion to limit commissioner discussion to 3-minutes for this item in order to try to comply with CDC meeting guidance regarding indoor meetings.
- Commissioner Dozier reflected that limiting discussion may impact innovative ideas and stated her opposition to the secondary motion. She expressed that the rule limiting discussion is out dated.

*Commissioner Maddox moved, duly seconded by Commissioner Proctor to approve a motion to limit discussion by commissioners to three minutes for this item.*

*The motion carried 6-1. (Commissioner Dozier in opposition).*

- Chair Minor asked for a motion to waive the order of business in order to conduct the public hearing at 6 p.m.  
*Commissioner Maddox moved, duly seconded by Commissioner Proctor to waive the order of business to conduct the public hearings at 6 p.m. The motion carried 7-0.*
- Commissioner Maddox expressed a need for continued investment. He reflected on the recent report and recommendations from local minority chambers of commerce.

- Commissioner Dozier stated her support of the motion and reflected on the need to co-market these programs.
- Chair Minor commended the Office of Economic Vitality for their efforts on this program.

*Commissioner Maddox moved, duly seconded by Commissioner Cummings to approve Option #1: Accept the status report on financing available to minority, women, and small business enterprises; and*

*Option #2: Authorize the County Administrator to execute an agreement with FAMU Federal Credit Union to establish a micro-lending fund in the amount of \$1 million for black, minority, and women-owned businesses, leveraging \$250,000 annually from FAMU Federal Credit Union for the administrative costs of operating the program; and*

*Option #3: Approve the Resolution and associated Budget Amendment Request to establish a micro-lending fund in the amount of \$1 million for black, minority, and women-owned businesses with FAMU Federal Credit Union. The motion carried 7-0.*

### **18. Single-Stream Recycling Study Final Report and Recommendations**

County Administrator Long introduced this item. He stated this item presents the final report and recommendations of a study conducted by SCS Engineers (Attachment #1) on long-term strategies to ensure the viability of the County's recycling program. As discussed in detail in this item, the study evaluated a wide range of policy options and alternatives for the processing of the County's single-stream recyclables and concluded that negotiating a new agreement with Marpan Recycling, the County's current single-stream processor, is the most financially advantageous and best value option. Accordingly, this item recommends authorizing the County Administrator to negotiate a new agreement with Marpan Recycling to process single-stream recyclables. The study also identified several additional recommendations to further enhance the County's overall recycling program and increase recycling rates which are presented in this item for Board consideration.

Commissioner Proctor made a motion for Option #1, seconded by Commissioner Dozier.

Commissioner Dozier stated her support of the motion and reflected on how the City will proceed with its recycling program. She confirmed with the County Administrator that, when the item comes back to the Board, staff will include: The City's plan to move forward, how commercial recycling is offered within the City in particular at apartment complexes, and how to continue supporting regional coordination to further utilize Marpan's services.

*Commissioner Maddox moved, duly seconded by Commissioner Dozier, approval of Options 1 -2: Option #1: Authorize the County Administrator to renegotiate a contract with Marpan Recycling for single-stream recycling services and to present a draft agreement to the Board for approval in early 2021.*

*Option #2: Authorize the County Administrator to extend the County's current agreement with Marpan Recycling for single-stream recycling services through September 30, 2021. The motion carried 6-0. (Commissioner Proctor not present for vote).*

### **19. Nominations to the Governor for Appointment to the Leon County Children's Services Council**

County Administrator Long introduced the item. He stated this item seeks Board approval of a proposed process for soliciting and selecting citizen applications for gubernatorial

appointment to the Children's Services Council of Leon County, which was approved by a majority of voters during the November 2020 General Election.

The following citizens provided comments in-person:

- Barney Bishop III, 2215 Thomasville Road, stated he was not in support of the setup of the Children's Services Council of Leon County. He provided suggestions on how to vet future nominees.
- Jason Zabarske, 826 Pine Street, stated his support of the Children's Services Council and expressed the need to nominate children's advocates as members.

*Commissioner Maddox made a motion for Option # 1, seconded by Commissioner Jackson.*

*Commissioner Maddox moved, duly seconded by Commissioner Cummings to approve limiting commissioner discussion on the item to 3 minutes. Motion failed 2-4. (Commissioner's Minor, Dozier, Welch, and Jackson opposing). (Commissioner Proctor out of Chambers).*

Commissioner Maddox reflected on the need for diversity on the Children's Services Council and expressed the need for representation from each district.

Commissioner Dozier commended the staff who worked on this item. She commended the commissioners who opposed it as it led to robust discussion. She noted that the Board needs to be made up of dedicated individuals and reflected on the need for diversity of appointments to the Children's Services Council.

Commissioner Welch stated his support of the Children's Services Council and expressed appreciation to those who had concerns about the administration of this program.

Chair Minor stated the need for transparency and a commitment to improving the welfare of children in the County. He shared his excitement in moving forward.

*Commissioner Maddox moved, duly seconded by Commissioner Jackson to approve Option #1: Approve the proposed process for soliciting and selecting citizen applications for gubernatorial appointment to the Children's Services Council of Leon County. The motion carried 6-0. (Commissioner Proctor out of Chambers).*

## **20. Full Board Appointments to the Architectural Review Board and the Leon County Educational Facilities Authority**

County Administrator Long introduced the item. He stated this item seeks the full Board's consideration of the appointment of citizens to the Architectural Review Board, and the Leon County Educational Facilities Authority

*Commissioner Maddox moved, duly seconded by Commissioner Jackson, approval of Options 1 -2: Option #1: Appoint a citizen, Miriam Gurniak, to Architectural Review Board for the remainder of the unexpired term ending June 30, 2021.*

*Option #2: Appoint a citizen, Rica Calhoun, to the Leon County Educational Facilities Authority for the remainder of the unexpired term ending July 31, 2021.  
The motion carried 6-0. (Commissioner Proctor out of chambers).*

**SCHEDULED PUBLIC HEARINGS, 6:00 P.M.**

**21. First and Only Public Hearing to Consider a Revised Sixth Amendment to the Southwood Development of Regional Impact Integrated Development Order**

County Administrator Long introduced the item. He stated this item requests the Board conduct the first and only Public Hearing to consider approval of a sixth amendment to the Southwood Integrated Development Order to redesignate a 0.47-acre portion of the golf course currently designated as “Recreation Golf Course/Clubhouse” to “Residential Single Family” to allow for the construction of one (1) detached, single-family residential unit. Amendments to the Southwood Development of Regional Impact Integrated Development Order require the approval of both County and City Commissions.

The following citizen provided comments in-person:

- David Hutcheson, 3217 Rosa Court, property owner representative, spoke in support of the amendment and clarified that the lot and area is suited for the development of one house.

The following citizens provided virtual comments:

- Carolyn Bibler, 1913 Sherwood Drive, Halff Associates, representing the applicant, spoke in support of the amendment to build one house on the ½ acre lot.
- John Ray, 310 College Avenue, representing the Capital Region Community Development District, spoke in opposition to the amendment and reflected on the petition included in the agenda packet.
- Jim Thielen, 3686 Mossy Creek Lane, spoke in opposition to the amendment.
- David Weiss, Ausley McMullen, representing Capital Region Community Development District, spoke in opposition to the amendment and reflected that it is not consistent with the Comp Plan or DRI.
- Chuck Urban, 3670 Mossy Creek Lane, spoke in opposition to the amendment and the precedent it sets.
- Corey Peterson, 2483 Goldenrod Way, spoke in opposition to the amendment and the dangerous precedent.
- Cathy Jones, 1078 Walden Road, spoke in opposition to the amendment.
- Brett Ewing, 3735 Mossy Creek Lane, spoke in opposition to the amendment and the precedent it sets.
- Keith Bell, 2855 South Twain Drive, spoke in opposition to the amendment and stated that it was not consistent with the master plan.
- Lisa Alcorn, 3571 Mossy Creek Lane, spoke in opposition to the amendment and stated that there are other lots available.

Commissioner Dozier made a motion to waive the discussion after a motion rule since it is a quasi-judicial hearing and there may be questions for counsel, seconded by Commissioner Welch.

*Commissioner Dozier moved, duly seconded by Commissioner Welch to approve waiving the rule to have commissioner discussion prior to the motion for this public hearing. The motion carried 4-3. (Commissioners Maddox, Jackson and Proctor in opposition).*

Commissioner Dozier acknowledged the public comments about fear of what might happen in the future referencing comments about additional lots and prior email, but that she was going to stay on the item before the Board. She confirmed with Barry Wilcox, Director of Development Support & Environmental Management, that the Planning Commission was looking for consistency with the Comprehensive Plan and internal consistency with the DRI in addition to the PUD. She referenced the letter from David Weiss with the Ausley firm, Attachment 8, and mentioned that it shows that preserving the open space around the golf course was a high priority for the master plan. She reflected on the Master Plan as guiding principles for the development of the Southwood Community. She added that there should be an overwhelming need to amend the Master Plan and expressed apprehension in approving the amendment. She confirmed that the decision to deny needs to be supported by competent substantial evidence.

*She moved for Option #2, to not approve the amendment, duly seconded by Commissioner Proctor.*

Commissioner Maddox confirmed with the County Attorney that the City would not be able to amend the DRI if the County did not approve the amendment. He also confirmed with County Attorney O'Steen that if the applicant has met all the procedural requirements and the application is consistent with the Comprehensive Plan, that any denial must include a determination that maintaining the existing conditions furthers a legitimate public purpose and must be supported by competent substantial evidence placed on the record. "Competent substantial evidence" is that which is "sufficiently relevant and material that a reasonable mind would accept it as adequate to support the conclusion reached." De Groot v. Sheffield, 95 So. 2d 912, 916 (Fla. 1957). He reflected on possible future litigation and asked County Attorney O'Steen if the Commission denies the application whether the evidence on the record is enough to defend the denial.

County Attorney O'Steen stated that she did not like the odds but would defend it.

*Commissioner Maddox made a substitute motion to table the item. Motion died due to lack of a second.*

Commissioner Dozier expressed that there are justified reasons and substantial evidence brought before the board to deny the application. County Attorney O'Steen confirmed that if it went to litigation the court would decide what a reasonable mind would accept as adequate evidence on the record to support the conclusion reached. Commissioner Dozier reiterated that master plans and planned unit developments are guiding principles and that there was evidence in the material that showed intent to preserve the open space and explained that this was why she didn't see the overwhelming reason to amend the master plan.

Commissioner Cummings confirmed with County Attorney O'Steen that the applicant submitted all the documentation and followed all the procedural requirements, the Planning staff and Planning Commission looked at the application and determined that it was consistent with the Comprehensive Plan and recommended approval of the amendment as Option #1. She questioned the purpose to table the item.

Commissioner Maddox stated that if the City also denies the amendment, it would help the County Attorney to defend the decision to not approve the amendment, should it be challenged.

*Commissioner Cummings made a substitute motion to table the public hearing until after the City holds its hearing, seconded by Commissioner Maddox.*

- Commissioner Dozier clarified that the letter by the Ausley firm is the evidence she is referring to as competent substantial evidence to support her decision in addition to hearing the public speakers and that she suggests that the Board move forward with voting on the item. Commissioner Welch stated that he could not support the substitute motion.

*Commissioner Maddox rescinded his second to the substitute motion but asked that the County Administrator ask the City to take up the matter.*

*Chair Minor asked if there was another second. Motion died due to lack of a second.*

Commissioner Proctor stated his support of denying approval of the amendment. He asked the County Attorney what advantage the County has in continuing the item. County Attorney O'Steen stated it would allow for the City to take up the item first and to allow for staff to bring back additional information.

*Commissioner Dozier moved, duly seconded by Commissioner Proctor to approve Option #2. Conduct the first and only Public Hearing and do not approve a sixth amendment to the Southwood Development of Regional Impact Integrated Development Order. The motion carried 7-0.*

## **22. First and Only Public Hearing to Adopt the Proposed Ordinance Amending Chapter 2, Article XII of the Code of Laws of Leon County Relating to Lobbying Regulations**

County Attorney O'Steen introduced this item. She stated this item provides for the first and only public hearing to consider the adoption of a proposed Ordinance amending Chapter 2, Article XII of the Leon County Code of Laws concerning the County's lobbying regulations.

The following citizen provided a virtual comment:

- Ben Wilcox, 1309 Old Fort Drive, Citizens for Ethics Reform, stated he supports this amendment. This amendment will do away with the loopholes that are currently in play under current language. He spoke in support of further strengthening the lobbyist requirements.

The following citizen provided comments in-person:

- Barney Bishop III, 2215 Thomasville Road, he congratulated the Board for the amendment of the regulations. He noted as a lobbyist, he is in support of the Ordinance.
- Commissioner Jackson commended the County Attorney and her staff for their hard work on this item, along with Commissioner Minor who created this amendment.

*Commissioner Jackson made a motion for Option # 1, duly seconded by Commissioner Maddox. He commended the County Attorney's efforts in drafting the ordinance.*

- Commissioner Dozier reflected on the request to include consultants as lobbyists, expressed the need for further discussion in the future, and stated her support of the Ordinance.
- Commissioner Cummings commended the County Attorney for the efforts to draft the Ordinance.
- Chair Minor acknowledged the County Attorney, Clerk Marshall and Max Hurley, a lobbyist, for their efforts working on this item.

*Commissioner Jackson moved, duly seconded by Commissioner Maddox to approve Option # 1: Conduct the first and only public hearing and adopt the proposed Ordinance amending Chapter 2, Article XII of the Leon County Code of Laws relating to lobbying regulations. The motion carried 7- 0.*

**23. First of Two Public Hearings to Consider Adoption of an Ordinance Amending Article VIII of Chapter 10 of the Leon County Code of Laws Entitled "Floodplain Management" and Amending Section 10.1.101 Entitled "Definitions" and Section 10-4.303 Entitled "Stormwater Management Design Standards"**

County Administrator Long introduced this item. He stated this item requests the Board conduct the first of two required Public Hearings to consider adopting an Ordinance repealing and replacing the Floodplain Management section and amend flood-related definitions in the General Definitions section of the Land Development Code (LDC). These revisions are a migration to the State Model Ordinance and will ensure compliance with national and state standards and enhance the County's efforts toward improving its community rating, thereby lowering flood insurance costs for property owners.

*Commissioner Proctor moved, duly seconded by Commissioner Maddox, approval of Option # 1: Conduct the first of two required Public Hearings to consider adopting an Ordinance amending Article VIII of Chapter 10 of the Leon County Code of Laws, entitled "Floodplain Management", and amending Section 10-1.101 entitled "Definitions", Section 10-4.327 entitled "Topographic alterations", and Section 10-4.303 entitled "Stormwater management design standards" (Attachment # 1), and schedule the second and final Public Hearing for December 8, 2020 at 6:00 p.m. The motion carried 7-0.*

**CITIZENS TO BE HEARD ON NON-AGENDAED ITEMS** (3-minute limit per speaker; Commission may discuss issues that are brought forth by speakers.)

- Chair Minor confirmed that there were no speakers on Non-Agendaed Items or list of speakers.

**COMMENTS/DISCUSSION ITEMS**

**County Attorney O'Steen:**

- She congratulated the incoming commissioners.
- County Attorney O'Steen stated that she had provided a memorandum to the Commissioners providing an update regarding the County's efforts to address the impaired status of Lake Talquin. She requested the Board authorize the Chair to send a

letter in support of WQBEL (water quality based effluent limitation) on the BASF plant in Attapulgus, Georgia to protect the water in Florida and the County below the plant.

*Commissioner Maddox moved, seconded by Commissioner Cummings to authorize the Chair to send a letter to U.S. Environmental Protection Agency supporting the water quality based effluent limitation process. The motion passed 6-0. (Commissioner Proctor out of Chambers).*

**County Administrator Long:**

- He congratulated the incoming commissioners. He also congratulated the new Chair and Vice Chair.
- He reminded the Board to get their flu shots that are recommended by Department of Health.

**COMMISSIONER DISCUSSION ITEMS**

**Commissioner Dozier:**

- Commended the County Attorney for her hard work during the pandemic.
- Stated that the 3-minute rule has historically not been enforced by previous Chairs for Board meetings. She made a motion for a Workshop on Commission Meetings Rules of Procedure, seconded by Commissioner Minor.  
*Commissioner Dozier moved to hold a workshop on Parliamentary Procedure and the Board's policies, seconded by Chairman Minor. The motion carried 4-2. (Commissioner's Maddox and Jackson in opposition). Commissioner Proctor out of Chambers.*
- Commissioner Maddox stated his opposition to the motion as the Board is not proposing any changes to the procedures and stated that the Policy is in place and should be followed.
- She requested a proclamation for Dr. Gary Ostrander retiring as the Vice President for Research at FSU.
- *Commissioner Dozier moved, duly seconded by Commissioner Minor requesting a proclamation recognizing the retirement of Dr. Gary Ostrander as Vice President for Research at FSU, for the Board's December 8th meeting if possible. The motion carried 6-0. (Commissioner Proctor not in Chambers).*
- Commended Commissioner Minor for participating in the North Florida Legal Association fundraiser.
- She congratulated Commissioner Jackson on his re-election. She welcomed the incoming commissioners. She recognized that Commissioner Cummings is the 8<sup>th</sup> woman to be elected and the second African American woman to be elected to the Leon County Board of County Commissioners.

**Commissioner Maddox:**

- He clarified his stance for limiting debate to 3 minutes while in Chambers. He would like the meeting to be efficient and take the least amount of time as possible as the in-person meetings are in violation of the CDC protocols.



- He motioned to limit commissioner discussion on items to 3 minutes while in Chambers during the pandemic, which can be extended with permission from the Chair. Commissioner Jackson seconded the motion.
  - Commissioner Dozier shared that the Board discussion is essential during Board meetings and debate should not be limited.
  - Commissioner Cummings stance was that the Board should lead by example. She shared her concerns on the pandemic and its seriousness. She stated she was in support of the motion.
  - Commissioner Maddox reiterated that his comment for 3 minutes debate during virtual meeting was in context with abiding to parliamentary procedure.
  - Commissioner Welch stated his opposition to the motion.
  - Chair Minor stated his support of the motion due to CDC guidance, and for the option for extended time.
  - County Attorney O'Steen clarified that a motion made during Commissioner Discussion time must pass unanimously, except for requests for an agenda item which only needs a majority vote to pass.
- *Commissioner Maddox moved, duly seconded by Commissioner Jackson, to limit commissioner discussion on items to 3 minutes while in Chambers during the pandemic, which can be extended with permission from the Chair. The motion failed 4-2. (Commissioners Dozier and Welch in opposition. Commissioner Proctor out of Chambers). (unanimous vote was required to carry).*
- *Commissioner Maddox moved, duly seconded by Commissioner Minor to direct staff to bring back an agenda item for the Board to consider limiting commissioner discussion on items to 3 minutes while in Chambers during the pandemic, which can be extended with permission from the Chair. The motion carried 4-2. Commissioners Dozier and Welch in opposition. Commissioner Proctor out of Chambers).*
- He congratulated Chair Minor and welcomed the new Commissioners.
- Acknowledged his fraternity brothers as it is Omega Psi Phi's 109<sup>th</sup> birthday.

**Commissioner Welch:**

- Acknowledged the Board for welcoming him. Thanked staff for their grace and courtesy during the transition into his new role.

**Commissioner Cummings:**

- Shared her appreciation for the sentiments from the other board members.
- Expressed her gratitude for Chair Minor participating in the upcoming Dancing with the Stars fundraiser for Legal Services of North Florida.

**Commissioner Jackson:**

- He commended Commissioner Minor as Chair.
- Stated that breast cancer in women under 40 is aggressive and difficult to detect and encouraged self-examination since it is often times detected in that manner.
- Stated that at his school they have not met face-to-face in a faculty meeting and he expressed cause for concern with in-person Commission meetings.
- Commended the County Attorney for the actions on Lake Talquin and reflected that they are long overdue.

**Vice-Chair Proctor:**

- Was out of Chambers during Commissioner comments.

**Chair Minor:**

- Thanked the Board for electing him as Chair. His priority will be to help each Commissioner be successful in their own district.
- Commended his aide, Jodi Wilkof, for her hard work and efforts.
- Acknowledged Debbie Craig, Commissioner Lindley's aide and Chris Klena, Commissioner Desloge's aide for their service.

**RECEIPT AND FILE:**

- Canopy Community Development District Fiscal Year 2021 Meeting Dates
- Tallahassee Community Redevelopment Agency FY 2021 Adopted Budget
- Florida Development Finance Corp. FY 2020 Financial Statements and Audit Results

**ADJOURN:**


There being no further business to come before the Board, the meeting was adjourned at 8:32 p.m.

**LEON COUNTY, FLORIDA**

ATTEST:



BY: \_\_\_\_\_  
Rick Minor, Chairman  
Board of County Commissioners

BY:  \_\_\_\_\_  
Gwendolyn Marshall, Clerk of Court &  
Comptroller, Leon County, Florida