

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA
REGULAR MEETING
February 8, 2022**

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

Chairman Proctor called the meeting to order at 3:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was provided by Rev. Ernest J. Lane, Pastor of Macedonia Missionary Baptist Church.

The Pledge of Allegiance was provided by Commissioner Cummings.

AWARDS AND PRESENTATIONS

- **Proclamation Recognizing February as American Heart Month**
 - Commissioner Dozier presented the Proclamation recognizing February as American Heart Month. She recognized that cardiovascular disease affects men, women, and children of every age in the United States.
 - Tiffany McCaskill-Henderson thanked Commissioner Dozier and the Board for their support and for acknowledging the importance of heart disease awareness by issuing this proclamation.

CONSENT:

Vice Chair Maddox moved, duly seconded by Commissioner Dozier, to approve the Consent Agenda, with the exception of Item 8. The motion carried 7-0.

1. Minutes: December 14, 2021, Regular Meeting.

The Board approved Option 1: Approve the minutes of December 14, 2021, Regular Meeting.

2. Payment of Bills

The Board approved Option 1: Approve the payment of bills and vouchers submitted for February 8, 2022 and preapprove the payment of bills and vouchers for the period of February 9, 2022 through March 7, 2022.

3. Request to Schedule the First and Only Public Hearing to Consider an Ordinance Amending Ordinance No. 97-18, as Amended, to Contract the Boundaries of the Fallschase Community Development District

The Board approved Option 1: Schedule the first and only public hearing to consider adopting a proposed Ordinance amending Leon County Ordinance No. 97-18, as amended, to contract the boundaries of the existing Fallschase Community Development District, for March 8, 2022, at 6:00 p.m.

4. Proposed Resolution in Support of Improved Statewide Water Resources Planning

The Board approved Option 1: Adopt the Resolution expressing support for improved water project planning statewide, including a multiyear work plan to guide the planning and prioritization of state funding for local water projects.

5. Voluntary Annexation of the Property Located at 5350 Capital Circle

The Board approved Option 1: Do not object to the proposed voluntary annexation of the property located at 5350 Capital Circle Southwest.

6. Third Performance Agreement and Surety Device for Summerfield Phase I Subdivision

The Board approved Option 1: Accept the Third Performance Agreement and Surety Device for Summerfield Phase I Subdivision and authorize the County Administrator to execute the agreement and any future extensions thereto.

Procurements: *(these items are included under Consent.)*

7. EMS Billing Services Contract

The Board approved Option 1: Approve entering into the Ambulance Billing Services Contract with Digitech Computer LLC utilizing a cooperative purchasing from Arlington County, Virginia, Agreement No. 20-071, and authorize the County Administrator to execute the Agreement.

Status Reports: *(These items are included under Consent).*

8. PULLED - Status Report on the Lake Hall School House Preservation Efforts

9. Annual 2021 Tallahassee-Leon County Board of Adjustment and Appeals Report

The Board approved Option 1: Accept the Annual 2021 Tallahassee-Leon County Board of Adjustment and Appeals Report.

10. FY 2021 Annual Report on Code Enforcement, Nuisance Abatement, and Code Compliance Programs

The Board approved Option 1: Accept the FY 2021 Annual Report on the County's Code Enforcement, Nuisance Abatement, and Code Compliance Programs.

11. Status Report on the Implementation of Board Actions Taken on Addressing Poverty and Inequities in 32304

The Board approved Option 1: Accept the status report on the Implementation of Board Actions Taken on Addressing Poverty and Inequities in 32304.

CONSENT ITEMS PULLED FOR DISCUSSION

8. PULLED - Status Report on the Lake Hall School House Preservation Efforts

This item was pulled by Commissioner Welch.

County Administrator Long introduced this item. He discussed the status report provided to the Board and the obstacles to acquiring the property, noting particularly that the owners are unwilling to sell the property.

Chairman Proctor asked about coming up short in the acquisition of the property. County Administrator Long commented on the cost factor to access the site, and estimated the total figure to have constructive control of the property to be in excess of \$1 million. He also noted that this would not be a traditional sale. The status report considers different legal remedies to acquire the property, including eminent domain.

Public Comment:

- Max Epstein, 1001 San Luis Road, asked that the Board use its powers of eminent domain to preserve and allow access to the public of this cultural resource. He noted this was an appropriate use of eminent domain for the structure and the 10 feet around the structure. He referenced the National Park Service.
- Shelby Green, 519 Ingleside Avenue, spoke in support of the project. She reflected on the difficult situation with the neighbors not wanting to sell. She commented on the importance of preserving Black history with the old schoolhouse. She encouraged the County to use its powers to bring the structure back to the public.
- Geraldine Seay, 2014 Chuli Nene, commented that she has worked on this project for the last 3 years. She reflected on the history of the project. She spoke of the different grant opportunities that they have not been able to pursue because they do not own the property. She asked that the Board look at this as an opportunity to save something that is priceless.

Commissioner Welch stated that they should do everything possible to save this property. He shared that he would support the use of eminent domain for historic preservation. He noted that the school is now being used as a shed.

Chairman Proctor asked about easements in Florida.

County Attorney O'Steen replied that if you negotiated a cooperative purchase of the property, you would need to acquire an easement for access purposes. Easements are also required for eminent domain for access purposes. She commented on the different easements for the property. Any access point to the property that the County obtains would need to meet County standards. She suggested retaining a consultant to evaluate the options related to the acquisition of the property.

Commissioner Cummings shared that she was in favor of preserving the schoolhouse. She inquired about one of the property sellers who was willing to sell their part of the property. She asked if this single purchase would be sufficient to preserve the schoolhouse.

County Administrator Long stated that different options have been explored for preserving the schoolhouse. Both the land itself and land needed for access purposes are necessary for preservation. He noted that the County has engaged with several organizations and nonprofits about the project and have indicated that similar properties have been preserved.

Commissioner Cummings commented that purchasing one piece of property would satisfy some part of the need but would not be sufficient.

Commissioner Jackson reflected on the importance of preservation. He commented on neighbors who do not want public access on a one lane private road.

Commissioner Jackson confirmed with Dan Rigo, Sr., Assistant County Attorney, that alternate access to the property would require acquisition of multiple parcels. He confirmed with the County Administrator that disassembling and moving the schoolhouse would make it ineligible for some grants.

Commissioner Jackson noted that the local museums were unable to take this project on.

Dr. Seay commented on the 501(c)(3) Friends of Lake Hall School House organization. She noted there are 8 vacant lots (Lake Hall Road and Thomasville Road) that can provide access to the school. She commented on walking trails that they could use to approach the school. She stated that the people living there could utilize the park. She gave the historical background as it relates to Maclay Gardens. She stated they are asking for a way to gain access to the school.

Chairman Proctor questioned if the state was willing to purchase the property. He recommended tabling the item.

Commissioner Dozier acknowledged the hard work that has gone into this item. She commented on the possibility of state or federal dollars being used if there was a willing seller. She shared she wasn't in support of the use of eminent domain.

Vice Chair Maddox reflected on the history of the schoolhouse and the efforts to preserve this gem. He stated they are showing their commitment to see the project through and appreciated the conversation.

Commissioner Minor expressed his support of preservation of the Lake Hall School. He discussed the additional cost of obtaining and relocating the school. He noted that he wanted to keep the relocating option open. He mentioned the Tallahassee Museum stated there was an option for relocation.

Chairman Proctor commented on the public access and public purpose. He commented that a marker could also serve the purpose. He thanked Dr. Seay and shared that staff would explore all options.

Vice Chair Maddox moved, seconded by Commissioner Jackson, to table the item. The motion carried 7-0.

CITIZENS TO BE HEARD ON NON-AGENDAED ITEMS

- Cindy Teem, 1515 Oldfield Drive, spoke in support of the Lake Hall School House and to learn more about the project. She commented on one of the owners willing to sell.
- Reverend William Foutz, Sr., 6504 North Meridian Road, expressed his frustration regarding his neighbor suing him to be able to access City utilities through his property. He noted that he does not currently have access to City utilities. Chairman Proctor commented on this issue and asked Commissioner Minor if he would work with him to schedule a meeting with the City of Tallahassee.
- Barbara Goldstein, 2217 Delta Lane, Executive Director of the Holocaust Education Resource Council, spoke about instances of anti-Semitism locally and statewide, and her desire for pro-active steps to address it in collaboration with the County and the community.
- Gregg Patterson, 2104 Pink Flamingo Lane, Executive Director of Choose Tallahassee, spoke about the efforts of his organization to promote relocating to Tallahassee.
- Nita Davis, commented on the importance of preservation of the Lake Hall School.

GENERAL BUSINESS

12. Consideration to Establish a Commission on the Status of Men and Boys

County Administrator Long introduced this item. It seeks Board consideration to establish a Commission on the Status of Men and Boys, as was recommended by Leon County Sheriff Walt McNeil in the Anatomy of a Homicide Project report presented to the Board during the December 14, 2021, meeting. The item discusses two approaches to establishing such a commission and recommends that it be structured similarly to the Tallahassee-Leon County Commission on the Status of Women and Girls. He shared they have worked closely with the Sheriff's Office.

Sheriff Walt McNeil spoke in support of his proposal and clarified that the proposal included a \$70,000 investment from each of the 5 entities for a total of \$350,000. Sheriff McNeil clarified that the 5 entities would work together and hire an Executive Director. He shared that the proposal is a work in progress. He stated it is not his intent to have sole ownership.

Public Comment:

- Whitfield Leland, 754 W. 7th Avenue, reflected on the report due to the importance. He commented on the need for a great opportunity to "get out." He urged support of Option #2.

- Dr. Willie Williams, 4525 Westover Drive, requested information and commented on the different approach. He recommended evaluating programs that serve youth.
- Dr. Tom Blomberg, Dean of the College of Criminology and Criminal Justice at Florida State University, has worked with the Sheriff's Office in a research capacity. He stated they gathered information on what's going on in Tallahassee. He noted there would be a multi-focus practice, and they would evaluate the council and the service that it provided.
- Stanley Sims, 1320 Avondale Lane, spoke in support of the Sheriff and this initiative.
- Rudolph Ferguson, Sr., 1209 Clay Street, Griffith Heights, spoke in support of the initiative. He shared that as a pastor, he has had to bury 7 young men due to gun violence.

Commissioner Minor acknowledged the Sheriff and his team on the Anatomy of a Homicide Project. He discussed funding and the opportunity for grants and stated he would support the Sheriff's initiative.

Commissioner Dozier acknowledged Dean Blomberg for his renowned work. She thanked him for being present. She thanked the Sheriff and his team for the in-depth work it took to come up with the initiative.

Vice Chair Maddox offered that, if a partner does not come back with a funding commitment, to bring back an agenda item exploring other funding options, including outcome measures, and the term length for the funding.

Commissioner Dozier confirmed with the County Administrator that no matter which option the Board chose an item would come back to the Board with this type of information. She confirmed her motion.

County Administrator Long stated this item would come back. He noted they would contemplate it in the upcoming budget cycle.

Commissioner Welch confirmed with the County Administrator and the Deputy County Administrator that the Sheriff's proposal indicates that the Sheriff would choose the Executive Director. He reflected on the outcomes expected from the Commission and the large size of the proposed Commission. He commented on the outcomes expected and the importance of return on investment. He gave his support for the motion.

Commissioner Cummings echoed the sentiments of the other Commissioners. She commented on the importance of the discussion. She shared that time is of the essence because young men are dying. She gave her support for the initiative to curb homicides among young black men.

Commissioner Jackson confirmed with the County Administrator that the funding would come from the General Contingency Fund. He stressed the importance of having funding support from all five partners in the Sheriff's proposal.

Sheriff McNeil stated that the request is for \$70,000 for FY 2022 and \$70,000 for FY 2023 and anticipates that grants would be pursued to fund the Commission after FY 2023.

Chairman Proctor discussed the importance of the vote tonight and the importance of the Sheriff's commitment to combat violent crimes among young black men. He commented that half of the ad valorem taxes goes to the Sheriff's Office for public safety. He commended the Sheriff for his efforts to prevent violent crime. He confirmed with the County Administrator that the Sheriff's budget is approximately half of the County's ad valorem taxes that are collected.

Commissioner Dozier moved, seconded by Vice Chair Maddox, for approval of Option #2: Direct staff to prepare an agenda item for the March 8, 2022, meeting for the Board's consideration to establish a Commission on the Status of Men and Boys within the Leon County Sheriff's Office as discussed in this item, including an update on funding commitments from other organizations. The motion carried 7-0.

The Board took a recess at 5:45pm.

13. Ratification of Board Actions Taken at the January 24, 2022, Annual Retreat

County Administrator Long introduced the item, which seeks Board ratification of the actions taken at the January 24, 2022, Annual Retreat.

Chairman Proctor commended the County Administrator and staff for the completion of the FY 2017-2021 Strategic Plan.

Commissioner Minor commented on the Annual Retreat. He thanked the Board for supporting the food insecurity initiative and the recommendations of the North Monroe Task Force. He thanked the Task Force and staff that assisted with the initiative.

Commissioner Dozier shared that there were great discussions at the Retreat. She confirmed that evaluating opportunities to engage young people in the workforce and in the community, including reviewing programs such as the City of Tallahassee's TEMPO program, would be included in the second administrative item.

Commissioner Cummings thanked the Board for allowing her to appear virtually. She requested a proposed initiative under the Quality-of-Life strategic initiative, to support law enforcement and program initiatives of community partners to address the causes and impacts of drug-related crimes in the community.

Chairman Proctor reflected on the proposed five-year targets and bold goals to increase the number of certified MWSBEs and electric vehicles in the County's fleet. He noted the positive perceptions of the County's services as indicated in the recent community survey.

Commissioner Welch moved, duly seconded by Commissioner Jackson, for approval of Option #1 as amended: Ratify the actions taken at the January 24, 2022, Annual Retreat, including adding a Quality-of-Life strategic initiative to address the causes and impacts of drug-related crimes in the community. The motion carried 7-0.

14. Building Plan Review and Inspection User Fee Study and Fee Resolution

County Administrator Long introduced the item, which presents the findings and recommendations of the MGT Consulting Group's Building Plan Review and Inspection User Fee Study and seeks adoption of the revised Building Plans Review and Inspection Fee Resolution with an effective date of June 1, 2022. The fee study recommendations and proposed Fee Resolution will improve transparency, further simplify the process of calculating building permit fees, and ensure the Building Plans Review and Inspection Division maintains an appropriate Fund balance in accordance with Florida Statutes.

Commissioner Dozier commended staff for the end product and the thorough process. She reflected on resolved issues with the City and County are intersecting, such as in partnership with the City for areas in the unincorporated area of the County with City utilities.

Commissioner Dozier moved, duly seconded by Vice Chair Maddox, approval of Option #1: Adopt the proposed Resolution amending the Building Plans Review and Inspection Fee Schedule and accept the findings and recommendations of the MGT Consulting Group's Building Plan Review & Inspection User Fee Study for Leon County. The motion carried 7-0.

15. Opioid Litigation Status Report and Consideration of the Opioid Litigation Endo Health Solutions, Inc. and Endo Pharmaceuticals, Inc. Settlement Proposal and Participation Agreement

County Attorney O'Steen introduced the item, which seeks Board approval of the opioid litigation Endo Health Solutions, Inc. and Endo Pharmaceuticals, Inc. Settlement Proposal and Participation Agreement. She provided a history on this litigation and stated that this case has been ongoing since 2018.

Chairman Proctor confirmed with the County Attorney that the final settlement amounts have not been determined yet.

Vice Chair Maddox moved, duly seconded by Commissioner Minor, approval of Option #1: Approve the Opioid Litigation Status Report; and

Option #2: Approve the opioid litigation Endo Health Solutions, Inc. and Endo Pharmaceuticals, Inc. Settlement Proposal and Participation Agreement and authorize the County Attorney to sign the Participation Agreement. The motion carried 7-0.

SCHEDULED PUBLIC HEARINGS, 6:00 P.M.

16. First and Only Public Hearing to Consider Adopting an Ordinance Amending Article IV of Chapter 10 of the Leon County Code of Laws, Entitled "Closed Basins and Standards"

County Administrator Long introduced this item. It requests the Board conduct the first and only public hearing to consider adopting an Ordinance amending the County's "Closed Basins and Standards" to reduce the likelihood of downstream adverse impacts from stormwater facilities.

Vice Chair Maddox moved, duly seconded by Commissioner Jackson, approval of Option #1: Conduct the first and only Public Hearing and adopt the proposed Ordinance

amending Article IV of Chapter 10 of the Leon County Code of Laws, entitled “Closed Basin and Standards.” The motion carried 5-0. (Commissioners Welch and Dozier out of Chambers).

17. Second and Final Public Hearing to Reinstate and Extend the Park Place Development Agreement

County Administrator Long introduced this item. It requests the Board conduct the second and final public hearing to reinstate and amend the Park Place Development Agreement to extend the termination date from January 24, 2022, to January 24, 2042.

Vice Chair Maddox moved, duly seconded by Commissioner Welch, approval of Option # 1: Conduct the second and final Public Hearing and reinstate and amend the Park Place Development Agreement to extend the term of the Agreement. The motion carried 6-0. (Commissioner Dozier out of Chambers).

18. First and Only Public Hearing to Consider Adoption of Ordinance Repealing Chapter 11, Article VIII of the Leon County Code of Laws, Relating to Solicitation on Public Streets

County Attorney O’Steen introduced the item. As directed by the Board at the January 25, 2022, meeting, this item requests the Board conduct the first and only public hearing and adopt the proposed Ordinance repealing Chapter 11, Article VIII of the Leon County Code of Laws, relating to solicitation on public streets.

Vice Chair Maddox moved, duly seconded by Commissioner Cummings, approval of Option # 1: Conduct the first and only public hearing and adopt the proposed Ordinance repealing Chapter 11, Article VIII of the Leon County Code of Laws, relating to solicitation on public streets. The motion carried 7-0.

CITIZENS TO BE HEARD ON NON-AGENDAED ITEMS

County Administrator Long announced the first speaker.

- Rev. David Hall, 12700 Miccosukee Road, commented on the community being in crisis as related to Wi-Fi services in the Miccosukee area. He commented that the Century Link service is in deplorable condition and asked the Board for help. He stated the infrastructure was over 25 years old. He invited the Board to come to the community to explore the conditions.
 - Vice Chair Maddox asked the County Administrator what the County could do to help.
 - County Administrator Long stated that the industry has been deregulated, and the County no longer has regulatory authority over current providers. However, he stated that the County is working to attract new service providers to the area and expand service under the new federal programs. A work group staffed by the Office of Economic Vitality (OEV) is working to increase the reliability of the networks in underserved areas of the community.

- Commissioner Welch reflected on the newly adopted Strategic Initiative to provide broadband to underserved rural communities. He also mentioned the Starlink satellite internet service as an option.
- Commissioner Dozier shared that they are bound by the current rules and cannot regulate these services. She commented on the OEV work group being critical to seeking funding for broadband services. She shared the importance of competition, because through competition the community will receive better service.
- Chairman Proctor stated that he would like to nominate one of the At-Large Commissioners to represent the Board to secure answers on broadband. He nominated Vice-Chair Maddox. Chairman Proctor relinquished the gavel to Vice Chair Maddox.
- Vice-Chair Maddox stated that there was a motion on the floor to nominate an At-Large Commissioner as designee for broadband discussions in the rural areas and asked if there was a second to the motion. The motion was seconded by Commissioner Cummings. Vice-Chair Maddox suggested a workshop on broadband as the best way to address the problem.
- County Administrator Long suggested a status report as an option for the Board.
- Chairman Proctor clarified that a commissioner had been designated in the past to deal with complexities regarding Bradfordville, Killlearn Lakes, and Fallschase developments.
- Commissioner Dozier indicated that she could not support the original motion and preferred a status report.
- Commissioner Minor noted that there was lack of support for the motion on the floor and offered a substitute motion for a status report to be provided to the Board.
- Vice Chair Maddox clarified that the substitute motion on the floor was for a status report to be provided to the Board on March 8th and asked for a second to the motion. Commissioner Dozier seconded the motion, with an amendment to update the agenda item on broadband that had been provided to the Board last year. Commissioner Minor accepted the amendment to the motion.
- Chairman Proctor rescinded his original motion and indicated support for the substitute motion.

Commissioner Minor moved, seconded by Commissioner Dozier, to direct staff to provide a status report on broadband for the March 8th meeting, to include an update on the previous broadband agenda item. The motion carried 7-0.

Vice Chair Maddox relinquished the gavel to Chairman Proctor.

County Administrator Long announced the next speaker.

- Jeremy Block, 1109 East 6th Avenue, Tallahassee, discussed violence in the community. He proposed a gun buy-back program and referenced its success in Gainesville and Boynton Beach. He proposed a drive through event.
 - Chairman Proctor inquired on the number of guns in the community.

Commissioner Minor moved, seconded by Vice Chair Maddox, to direct staff to provide an agenda item exploring a county gun buy-back program in conjunction with the Leon County Sheriff's Office. The motion carried 7-0.

COMMENTS/DISCUSSION ITEMS

County Attorney O'Steen:

No comments.

County Administrator Long:

- Provided a status report on the wastewater spill from a city pump station located near the McGinnis Arm south of Lake Jackson that occurred on Saturday, February 5th.
 - Commissioner Minor expressed the need for information on City spills being brought forth when they happen.
 - County Administrator Long explained that the notification requirements and process are outlined in state law.
 - Commissioner Dozier stated that she would support a motion to ask the City for information on spills as they happen and reflected on the need for testing.
 - Commission Minor stated that the County may be able to opt-in to the FDEP notification system and stressed the need for information sharing.
 - Chairman Proctor questioned if Lakes Jackson, Talquin, and Miccosukee were under the jurisdiction of Leon County.
 - County Administrator Long confirmed that the lakes, lake bottoms and surface waters are under the jurisdiction of the State; the areas surrounding the lakes in the unincorporated area are under the jurisdiction of the County.

COMMISSIONER DISCUSSION ITEMS

Commissioner Dozier:

- Announced that the Regional Planning Council will be holding its second Industrial Hemp Summit at the Civic Center on April 27-28, and the keynote speaker will be Geoff Whaling, Chair of the National Hemp Association.

Commissioner Welch:

- Noted that Leadership Tallahassee is accepting applications for its 40th class.

Commissioner Cummings:

- Expressed concern about legislation regarding schools that is passing very swiftly through the State Legislature and requested that the Board be provided an update on the status of the legislation.

Commissioner Jackson:

- Gave a shout out to his granddaughter for a happy birthday.

Commissioner Minor:

- Spoke about the Board's opposition to extremism, anti-Semitism and hate, and expressed concern regarding the recent rise of extremist behavior. He reflected on ways to address the situation in Leon County and commended Barbara Goldstein, Executive Director of the Holocaust Education Resource Council, for speaking at the meeting.

Vice Chairman Maddox:

- No comments.

Chairman Proctor:

- Requested an agenda item on funding for the Soul of the South event that will be held in May.
- *Vice Chair Maddox moved, seconded by Commissioner Dozier, to direct staff to prepare an agenda item to consider the funding request from the Soul of the South. The motion carried 7-0.*
- Thanked the Board for support of the Sheriff's initiative to bring forth a Commission on the Status of Men and Boys.
- Invited Commissioners and the public to a meeting of the Public Safety Coordinating Council (PSCC) to discuss ways to reduce the jail time of inmates in the County Jail. He referenced that there are 482 inmates that have remained in the jail for over 6 months. He stated that the mission of the PSCC is to reduce the jail population. He stated they may need to hire a consultant to review the process and examine the numbers.
- Shared support for Commissioner Minor's thoughts regarding prohibiting paramilitary training in the State Capitol of Florida.

RECEIPT AND FILE:

- None.

ADJOURN:

There being no further business to come before the Board, the meeting was adjourned at 7:25 p.m.

LEON COUNTY, FLORIDA

ATTEST:



A handwritten signature in black ink, appearing to read "Gwendolyn Marshall".

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

A handwritten signature in black ink, appearing to read "Bill Proctor".

BY: _____
Bill Proctor, Chairman
Board of County Commissioners