

**BOARD OF COUNTY COMMISSIONERS  
LEON COUNTY, FLORIDA  
REGULAR MEETING  
December 13, 2022**

The Board of County Commissioners of Leon County, Florida met in regular session at 3:00 p.m. with Vice-Chair Carolyn Cummings presiding. Present were Vice Chair Carolyn Cummings and Commissioners Christian Caban, Brian Welch, David T. O'Keefe, and Rick Minor. Chairman Nick Maddox appeared by telephone. Also present were County Administrator Vincent Long, County Attorney Chasity O'Steen, and Clerk to the Board Beryl H. Wood.

Vice-Chair Cummings called the meeting to order at 3:00 p.m.

*Commissioner Welch moved, seconded by Commissioner O'Keefe, to allow Chairman Maddox to telephonically participate in the Board meeting.*

*The motion carried 5-0. (Commissioner Proctor absent).*

Vice-Chair Cummings announced that Commissioner Proctor would not be attending today's meeting due to illness and asked for prayers for his well-being.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The Invocation was provided by Pastor David Emmert of Celebration Baptist Church. He was introduced by Commissioner Brian Welch.

Commissioner Welch then led the Pledge of Allegiance.

**AWARDS AND PRESENTATIONS**

- **ADDED** – Proclamation Recognizing the Life of Willie Mae Carter by Vice-Chair Cummings in the absence of Commissioner Proctor.
  - Vice-Chair Cummings presented the proclamation for 101 years of life. It was noted that Mrs. Carter had recently passed, so her family stood on her behalf.
- Proclamation Recognizing Eddie Jackson's efforts as the FAMU 220 Quarterback Club President
  - Vice-Chair Cummings presented the proclamation recognizing Eddie Jackson for all of his awesome work at FAMU.
- Proclamation Recognizing the 100th Anniversary of the Sigma Gamma Rho Sorority
  - Vice-Chair Cummings presented the proclamation recognizing the 100th Anniversary of the Sigma Gamma Rho Sorority.
- Presentation by the Tallahassee-Leon County Commission on the Status of Women and Girls
  - Stephanie Shumate introduced herself as the new Executive Director of the Tallahassee-Leon County Commission on the Status of Women and Girls (CSWG) and introduced CSWG Chair Dr. Cicely Brantley. Dr. Brantley provided an overview of the highlights from the 2021 Annual CSWG Report. Dr. Brantley stated they are excited to announce a new partnership with FSU Askew Graduate School. They are also going through all of their proposed recommendations that have been presented in the last ten years. Ms. Shumate recognized the commissioners from their organization, who attended today's Board meeting. She provided an overview of the new initiatives included in the

CSWG 2.0 proposal, including the top 5 that the CSWG will focus on in the upcoming year:

- Developing a strategic /action plan;
- Updating, refining, and prioritizing the 142 recommendations;
- Expanding membership of committees;
- Coordinating Continuum Connection with Women & Girl Serving Organizations;
- Beginning research to develop a digital Dashboard measuring the wellbeing of Women & Girls Lives

Vice-Chair Cummings thanked Dr. Brantley and Ms. Shumate for being present and showed appreciation for the annual report.

Commissioner Minor acknowledged CSWG and thanked the commissioners for their service and stated they look forward to working with them. He believed that the 2.0 proposal is necessary and now is the right time to launch it. He noted that women are still trying to catch up in employment after the return to the workplace.

Commissioner O'Keefe commented that the Board will rely on CSWG to advise as to what the best policy is, and that they should always tell the Board what resources they may need. He thanked them for their service.

Commissioner Welch shared he was encouraged about the 2.0 version of CSWG and thanked them for the presentation. He wants the CSWG to educate him on the issues that may not be known to the community.

Commissioner Caban thanked them for the detailed presentation. He shared this was the type of the work that he believes makes the impact that is needed.

Vice-Chair Cummings acknowledged their service of working with the Women and Girls in Leon County and shared the full support of the Commission.

Vice-Chair Cummings apologized and acknowledged that Eddie Jackson had wanted to speak after being presented a proclamation, but was inadvertently overlooked.

#### **CITIZENS TO BE HEARD ON NON-AGENDAED ITEMS**

(3-minute limit per speaker; there will not be any discussion by the Commission)

- Aaron Dunlap, 215 S. Monroe St., Carlton Fields, P.A., spoke in support of Agenda Item #11 being pulled from Consent, and in opposition to the staff recommendation to not accept the proposed urban fringe text amendment for the Mission San Miguel Holding Group. He stated that they met with staff multiple times over the summer.
- Chuck White, 537 Frank Shaw Road, Managing General Partner, Mission San Miguel Holding Group, spoke in opposition to staff's recommendation for Agenda Item #11. They are asking for the opportunity to submit a proposal to develop the property through the Comprehensive Plan. He noted that they had always planned to build a Phase 2 for the Mission San Miguel neighborhood.

#### **CONSENT**

*Commissioner Welch moved, seconded by Commissioner Minor, to approve the Consent Agenda, as presented. Items 5 and 10 have been pulled from consent. The motion carried 6-0. (Commissioner Proctor absent).*

**1. Minutes: September 13, 2022 Regular Meeting, and October 11, 2022 Regular Meeting**

*The Board approved the minutes of the September 13, 2022 Regular Meeting, and October 11, 2022 Regular Meeting.*

**2. Payment of Bills and Vouchers**

*The Board approved Option #1: Approve the payment of bills and vouchers submitted for December 13, 2022 and pre-approval of payment of bills and vouchers for the period of December 14, 2022 through January 23, 2023.*

**3. Commissioner Appointments to the Contractors Licensing Board, Library Advisory Board, Tallahassee-Leon County Commission on the Status of Women & Girls, and the Water Resources Committee**

*The Board approved Option #1: Ratify Commissioner Caban's reappointment of a citizen, HR "Sonny" Phillips, to the Contractors Licensing Board for the remainder of the term ending June 30, 2023.*

*Option #2: Ratify Commissioner Proctor's appointment of a citizen, Warren Davis, to the Library Advisory Board for a two-year term ending December 31, 2024.*

*Option #3: Ratify Vice-Chair Cummings's appointment of a citizen, Vickia Rosier, to the Tallahassee-Leon County Commission on the Status of Women & Girls, for the remainder of the unexpired term ending September 30, 2023.*

*Option #4: Ratify Commissioner Caban's reappointment of a citizen, Danielle Irwin, to the Water Resources Committee, for the remainder of the term ending July 31, 2026.*

**4. Request to Schedule the First and Only Public Hearing to Consider a Proposed Ordinance Amending Chapter 4, Article II of the Leon County Code of Laws Regarding Animal Control for January 24, 2023**

*The Board approved Option #1: Schedule the first and only public hearing to consider adoption of an Ordinance amending Chapter 4, Article II of the Leon County Code of Laws regarding Animal Control, for January 24, 2023 at 6:00 p.m.*

**5. PULLED - Authorization to Proceed with Drafting an Ordinance to Amend the Pre-Development Environmental Analysis Reviews Section of the Environmental Management Act**

**6. Request to Schedule the First and Only Public Hearing to Consider an Ordinance Amending Chapter 10 to Correct Scrivener's Errors and Inadvertent Inconsistencies for February 21, 2023**

*The Board approved Option #1: Schedule the first and only Public Hearing to consider an Ordinance amending Chapter 10 to correct inadvertent inconsistencies and scrivener's errors for February 21, 2023 at 6:00 p.m.*

**7. FY 2023 Primary Health Care Program Agreements**

*The Board approved Option #1: Approve the FY 2023 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 the Agreements, subject to legal review by the County Attorney.*

**8. FY 2023 Agreement with Apalachee Center, Inc. for the Provision of State Mandated Baker Act 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 2023 and authorize the County Administrator to execute the Agreement, subject to legal review by the County Attorney.*

**9. Approval of a Memorandum of Understanding with the Children’s Services Council to Allow for Participation in the County’s Employee Benefit Insurance Plans**

*The Board approved Option #1: Approve the Memorandum of Understanding with the Children’s Services Council (CSC) to allow CSC participation in the County’s employee benefit insurance plans, and authorize the County Administrator to execute the Agreement, subject to legal review by the County Attorney.*

**10. PULLED - Ratification of the Board Actions Taken at the October 25, 2022 Workshop on Policies and Process for Land Use Changes and Land Development**

**11. Privately Submitted Text Amendment to the Tallahassee-Leon County Comprehensive Plan for the 2023 Amendment Cycle**

*The Board approved Option #1: Do not accept the proposed Urban Fringe Text Amendment into the 2023 Comprehensive Plan amendment cycle.*

**12. Springs Restoration Grant Amendment for the Northeast Lake Munson Sewer System Project**

*The Board approved Option #1: Approve the amendment to the Florida Department of Environmental Protection Springs Restoration Grant Agreement for the Northeast Lake Munson Sewer System Project, and authorize the County Administrator to execute the grant amendment, including any future modifications, subject to final legal review by the County Attorney.*

**13. Approval for the County to be the Willing Manager to Maintain the Future U.S. 90 Multiuse Trail in Support of the Florida Department of Transportation Shared-Use Nonmotorized Trail Grant Application**

*The Board approved Option #1: Approve the County to be the Willing Manager to maintain the future US 90 Multiuse Trail in support of the FDOT SUN Trail Grant Application, to conduct a Project Development and Environment Study by the Capital Region Transportation Planning Agency, and authorize the County Administrator to execute the Certification of Willing Manager for trail maintenance, subject to legal review by the County Attorney.*

**14. Agreement with Florida Department of Corrections for Use of Inmate Crews**

*The Board approved Option #1: Approve the Agreement with the Florida Department of Corrections for use of Inmate Crews from the Wakulla Correctional Institution, and authorize the County Administrator to execute the Agreement, subject to legal review by the County Attorney.*

**15. Resolution in Support of the Florida Department of Transportation - Safe Route to School Grant Application to Construct Sidewalks on Two County Roads**

*The Board approved Option #1: Adopt the Resolution in support of a Florida Department of Transportation - Safe Route to School Grant Application to construct sidewalks on Shumard Drive between Canyon Creek Road and Bur Oak Drive, and Bur Oak Drive between Shumard Drive and Forest Grove Road.*

**Procurements:**

**16. Bid Award for Home Demolition and Reconstruction Projects**

*The Board approved Option #1: Approve the bid award for the three (3) home demolition and reconstruction projects to Arris General Contractors, Inc. in the total amount of \$780,149, and authorize the County Administrator to execute the Agreement, subject to legal review by the County Attorney.*

*Option #2: Adopt the Resolution approving the proposed revisions to 2021-2023 Leon County SHIP Local Housing Assistance Plan.*

**17. FY 2023 Insurance Coverages**

*The Board approved Option #1: Approve the FY 2023 insurance coverages and authorize the County Administrator to place insurance coverages for Property and Excess Workers' Compensation, and General Liability as specified in Renewal Option #1:*

- Property and Flood Insurance (total insured value \$447,465,705): Zurich American Insurance Company, \$916,458 and Wright National Flood Insurance Company, \$2,914*
- Inland and Marine (combined tools and equipment valued at \$18.1 million): XL Specialty Insurance Company, \$89,440*
- Excess Workers' Compensation: Florida Municipal Insurance Trust: \$313,717*
- General Liability (including Public Official, Employment Practices Liability,*
- Excess Liability, Auto and Medical Malpractice): The Phoenix Insurance Company, \$765,245, and Lloyds of London, \$9,739*
- Cyber Security: Homeland Insurance Co of NY, Intact \$55,000*
- As the broker of record, authorize Brown & Brown to place Pollution, Accidental Death & Dismemberment, Aviation, Crime and Drone liability coverages, \$177,276*

**18. Bid Award for the Construction of the Ben Boulevard Phase II Drainage Improvements Project**

*The Board approved Option #1: Approve the bid award to North Florida Asphalt, Inc. in the amount of \$794,088 for the construction of the Ben Boulevard Phase II Drainage Improvements Project, and authorize the County Administrator to execute the Agreement, subject to legal review by the County Attorney.*

**19. Bid Award for Construction of the Northeast Lake Munson Septic to Sewer Conversions Project**

*The Board approved Option #1: Approve the bid award to Hale Contracting, Inc., in the amount of \$13,651,967 for construction of the Northeast Lake Munson Septic to Sewer conversions, and authorize the County Administrator to execute the Agreement, subject to legal review by the County Attorney.*

*Option #2: Approve the Resolution and associated Budget Amendment Request.*

**20. Bid Award for the Leon County Sheriff's Office Evidence Storage Facility Warehouse Renovation Project**

*The Board approved Option #1: Approve the bid award to Cook Brothers, Inc. in the amount of \$3,451,000 for LCSO Evidence Storage Facility Warehouse Renovation Project, and authorize the County Administrator to execute the Agreement, subject to legal review by the County Attorney.*

**Status Reports:**

**21. Tallahassee-Leon County Commission on the Status of Women and Girls Annual Report**

*The Board approved Option #1: Receive the 2022 Tallahassee-Leon County Commission on the Status of Women and Girls Annual Report.*

**22. 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 action taken on addressing poverty and inequities in 32304.*

**23. Annual 2022 Affordable Housing Advisory Committee Report of Recommendations**

*The Board approved Option #1: Accept the Annual 2022 Affordable Housing Advisory Committee Report of Recommendations.*

**24. November 2022 Quarterly Economic Dashboard Report**

*The Board approved Option #1: Accept the November 2022 Quarterly Economic Dashboard Report.*

**25. Status Report on the Leon County Water Quality Monitoring Program, and the 2022 Water Quality Report**

*The Board approved Option #1: Accept the status report on the Leon County Water Quality Monitoring Program and the 2022 Annual Water Quality Report.*

**CONSENT ITEMS PULLED FOR DISCUSSION**

**Item 5. Authorization to Proceed with Drafting an Ordinance to Amend the Pre-Development Environmental Analysis Reviews Section of the Environmental Management Act**



County Administrator Long introduced this item and deferred to Commissioner O'Keefe, who pulled this item.

Commissioner O'Keefe asked to hear first from the speakers.

- Max Epstein, 1001 San Luis Road, stated that this was an excellent change. He presented information on patriarch trees. There is no language in the Code to protect these trees. He asks that all 36-inch-wide trees be labelled as patriarch trees for preservation.
- Ann Bidlingmaier, 1920 Harriet Drive, commented on drafting a tree ordinance and commented on protection of the patriarch trees. In 1981, she started the process to draft a tree protection ordinance for Leon County. The City of Tallahassee passed this ordinance rather than the County.

Commissioner O'Keefe noted the value of the patriarch trees to the community. He wanted staff to analyze the definition of patriarch and protected trees. He wanted to take action now to prevent the number of communities fighting in the future to save patriarch trees in light of new developments by creating policies now to protect these trees. He asked that the policy be clarified to honor community values, with the exception. He made a motion for Option #1 with the additional analysis, seconded by Commissioner Minor.

Commissioner Minor asked the County Administrator if the requested analysis could come back as an agenda item with the proposed ordinance.

County Administrator Long confirmed that the analysis would be included in the upcoming agenda item, and asked Nawfal Ezzagaghi to speak on the tree protections that are already in place.

Nawfal R. Ezzagaghi, Director, Environmental Services Division, confirmed that 36" trees were automatically protected, unless it has a defect or disease, under current policy.

Commissioner Cummings noted that it felt good knowing that the concerns raised by the speakers were already being addressed and clarified that this is an item revisiting the issue.

Commissioner Minor confirmed that he seconded the motion, but deferred to Commissioner O'Keefe as to whether he wanted to withdraw the motion.

Commissioner O'Keefe stated that because the analysis would be included as part of the upcoming agenda item, he wished to withdraw his original motion, and make a motion for Option #1.

*Commissioner O'Keefe moved, seconded by Commissioner Minor, to approve Option # 1: Authorize staff to proceed with drafting an Ordinance to amend the Pre-development Environmental Analysis Reviews Section of the Environmental Management Act.*

*The Board approved Option #1: Authorize staff to proceed with drafting an Ordinance to amend the Predevelopment Environmental Analysis Reviews Section of the Environmental Management Act.*

The motion carried 6-0. (Commissioner Proctor absent).

**Item 10. Ratification of Board Actions Taken at the Oct. 25, 2022 Workshop on Policies and Process for Land Use Changes and Land Development**

County Administrator Long introduced this item and deferred to Commissioner Minor.

Commissioner Minor pulled this item for discussion. He disclosed for the record and in the interest of transparency and out of an abundance of caution he described an interaction with a fellow Commissioner following the October 25, 2022 Workshop. He advised that he discussed same with County Attorney O'Steen and she was of the opinion that the interaction did not create a legal issue.

*Commissioner Minor moved, seconded by Commissioner Welch, to approve Options #1 and #2.*

*The Board approved Option #1: Ratify the actions taken by the Board during the October 25, 2022 Workshop on Policies and Process for Land Use Changes and Land Development which directs staff to:*

*a) Continue the public engagement actions described in the workshop item; and*

*b) Expand the notification radius for large-scale Comprehensive Plan map amendments in rural areas of unincorporated Leon County from 1,000 feet to 1,500 feet with a minimum threshold of 30 property owners being notified.*

*Option #2: Accept the staff analysis on the scheduled public meetings and direct-mail notification process for the Comprehensive Plan Amendment Cycle and take no further action.*

The motion carried 6-0. (Commissioner Proctor out of chambers).

**GENERAL BUSINESS**

**26. Consideration of Support of the Local Government Area of Opportunity Application for Proposed Lakeside Flats Apartments**

County Administrator Long introduced this item. As recommended by the Housing Finance Authority of Leon, this item seeks Board approval to support the proposed Lakeside Flats Apartments application for federal 9% low-income housing tax credit and provide \$115,000 as the County's portion of the required match funding. Approval of this request aligns with the County's effort to preserve and increase the stock of affordable housing in the community.

He shared there were no public speakers.

Commissioner O'Keefe noted that the number one issue discussed during the campaign year was affordable housing. He commended local government and Affordable Housing staff. He stated that this was an amazing project. They have coordinated with multiple entities that are best suited to helping with this issue.



Commissioner Minor shared his excitement about the agenda item. He shared the need for the community. He believes this is a solid step in the right direction.

Commissioner Welch shared the importance of this item. This is a very small contribution from the County for such a tremendous impact to the County.

Commissioner Caban commended staff on working aggressively for affordable housing.

Vice-Chair Cummings commented on the great partnership with the City and the developers. She shared her excitement that 100% of the occupancy of this development will be for low- and moderate-income families.

Chair Maddox stated his excitement and thanked staff for doing an amazing job on affordable housing.

Vice-Chair Cummings shared the purchase of 16.6 acres of land by Bethel Baptist Church to provide affordable housing for the community. The community is working together to address affordable housing.

*Commissioner O'Keefe moved, seconded by Commissioner Caban, approval of Options #1 and 2: Approve the utilization of \$115,000 in Emergency Rental Assistance 2 funding for a local contribution for the proposed Lakeside Flat Apartments in the form of a reduced interest rate loan, should the project be awarded 9% federal low-income housing tax credit for the Local Government Area of Opportunity Fund Application 2022 Cycle, and authorize the County Administrator to complete and execute the Local Government Verification of Contribution Form required to be submitted with the Lakeside Flat Apartments Application, as well as any documents necessary to effectuate closing.*

*Option #2: Approve the Resolution and associated Budget Amendment Request realizing funding from the Housing Finance Authority of Leon County and the City of Tallahassee in the amount of \$345,000 for a local contribution in the form of a reduced interest rate loan for the proposed Lakeside Flat Apartments should the project be awarded 9% federal low-income housing tax credit for the Local Government Area of Opportunity Fund Application 2022 Cycle.*

*The motion carried 6-0. (Commissioner Proctor absent).*

**27. Acceptance of the Tallahassee-Leon County Bicentennial Organizational Management Plan and Adoption of a Resolution to Establish the Tallahassee Leon County Bicentennial Steering Committee**

County Administrator Long introduced this item. It seeks Board acceptance of the Tallahassee-Leon County Bicentennial organizational management plan and adoption of an Enabling Resolution to establish a Bicentennial Steering Committee to recognize the 200th anniversary of our community in 2024.

He shared there were no public speakers.

Commissioner Welch commented on Kerri Post and Katie Kole spearheading the Bicentennial. They both have experience with planning anniversary celebrations. He stated that this was a fun and easy item to vote on.

Commissioner Minor shared his excitement and congratulated the Division of Tourism for having Willie Nelson perform in 2023.

Commissioner Caban commended the Tourism staff. It has a large impact on the county's economic revenue.

Vice-Chair Cummings echoed the sentiments already shared. She thanked Kerri Post and Katie Kole for their hard work.

*Commissioner Welch moved, seconded by Commissioner Caban, approval of Options 1 -2: Option #1: Accept the Tallahassee-Leon County Bicentennial Organizational Management Plan.*

*Option#2: Adopt the Resolution establishing the Tallahassee-Leon County Bicentennial Steering Committee.*

*The motion carried 6-0. (Commissioner Proctor out of chambers).*

## **28. Agreements for the Operation of the Syringe Exchange Program in Leon County**

County Administrator Long introduced this item. It seeks Board approval of an agreement with Big Bend Cares, Inc., to serve as the operator of the syringe exchange program in Leon County, and in accordance with Florida Statutes seeks approval of a letter of agreement with the Florida Department of Health for the operation of the syringe exchange program in Leon County.

Public Comment:

- Paul Arons, 1706 Beechwood Circle N., retired physician from Leon County Health Department, expressed appreciation and gratitude to the Commission and Big Bend Cares for bringing harm reduction to the area. He discussed the importance of the syringe exchange program in reducing the transmission of HIV and death from drug use. This service will not only save lives but save the community and County money.

Commissioner O'Keefe thanked all those involved and mentioned the health benefits. He thanked Big Bend Cares for partnering with the County for this program. This is smart and effective public health policy.

Vice-Chair Cummings acknowledged Big Bend Cares. She believes that the health, safety, and welfare of Leon County will improve with this program.

*Commissioner O'Keefe moved, seconded by Commissioner Caban, approval of Options # 1-2: Option #1: Approve the Agreement with Big Bend Cares, Inc. to serve as the operator of the syringe exchange program in Leon County, and authorize the County Administrator to execute the Agreement, subject to legal review by the County Attorney.*

*Option #2: Approve the Letter of Agreement with Florida Department of Health to operate the syringe exchange program in accordance with Florida Statutes, and authorize the County Administrator to execute the Agreement, subject to legal review by the County Attorney.*

*The motion carried 6-0. (Commissioner Proctor absent).*

**29. Full Board Appointment of Commissioners to Authorities, Boards, Committees and/or Councils**

County Administrator Long introduced this item. It seeks Board approval to appoint Commissioners to the Affordable Housing Advisory Committee, Apalachee Regional Planning Council, Canopy Road Citizens Committee, Capital Region Transportation Planning Agency, Council on Culture and Arts, and Leon County Research and Development Authority.

Commissioner Minor stated his desire to serve on the Leon County Research & Development Authority (LCRDA). He noted that he has had 10 years of experience in the technology private sector. He wants to stop the brain drain happening in Tallahassee by working on the Research Park.

Commissioner Welch made a motion for Option #6 to appoint Commissioner Minor to the LCRDA, seconded by Commissioner Minor.

Vice-Chair Cummings asked for confirmation that there was a motion and a second on the floor. County Attorney O'Steen confirmed there is a motion and a second for Option #6 on the floor, and that Commissioner Maddox wanted to speak.

Commissioner Caban and Vice-Chair Cummings commented on the fact that Commissioner Proctor was not in Chambers to provide input and participate in the appointments. Vice-Chair Cummings stated that out of courtesy, it may be better to wait to discuss these appointments until everyone is present.

Commissioner Maddox asked the County Attorney if it was permissible for him to make a motion while appearing telephonically. County Attorney O'Steen confirmed that he could make a motion and the only thing he could not cast a vote to break a tie pursuant to Board Policy. Commissioner Maddox made a substitute motion to postpone the agenda item until January 24th to allow for Commissioner Proctor to participate, due to it being in his district. While he does have an interest in LCRDA, he would yield to Commissioner Proctor if he wanted to sit on that board due to his seniority.

Vice-Chair Cummings asked County Attorney O'Steen for confirmation on the procedure and if the motion should be substituted. County Attorney O'Steen confirmed that the substitute motion from Commissioner Maddox is proper, but would require a second.

Commissioner Minor withdrew his second from the original motion and Commissioner Welch withdrew his original motion.

*Chair Maddox moved, seconded by Commissioner Caban, to approve Option #3: Board direction, continuing agenda item #29 to the January 24, 2023 Board meeting.*

*The motion carried 6-0. (Commissioner Proctor absent).*

**30. Full Board Appointments to the Audit Advisory Committee**

County Administrator Long introduced this item. It seeks Board consideration of the appointment of citizens to the Audit Advisory Committee.

There were no public speakers.

Commissioner O'Keefe stated that the applicant, Deidre Melton, was actively serving and had the most impressive resume of the applicants. He wanted to publicly acknowledge how well they do in their role.

*Commissioner O'Keefe nominated Deidre Melton, seconded by Commissioner Caban. The motion carried 6-0. (Commissioner Proctor absent).*

Commissioner O'Keefe asked if the remaining two applicants, Kenneth Chambers or Thomas Duncan, were present and if they wanted to speak.

There were no speakers present.

*Commissioner O'Keefe moved, seconded by Commissioner Caban, to approve Option #1: Appoint Thomas Duncan, to the Audit Advisory Committee for two-year terms ending December 31, 2024.*

*The motion carried 6-0. (Commissioner Proctor absent).*

*Recessed at 5:07 p.m., returned at 6:00 p.m. for Public Hearing.*

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

**31. First and Only Public Hearing to Consider an Ordinance Dissolving the Leon County Energy Improvement District and Repealing Chapter 15, sections 15-1 through 15-15, Code of Laws of Leon County**

County Attorney O'Steen introduced this item. This item requests the Board conduct the first and only public hearing to consider adopting an Ordinance dissolving the Leon County Energy Improvement District and repealing Chapter 15, sections 15-1 through 15-15, Code of Laws of Leon County, Florida.

There were no public speakers.

*Commissioner Welch moved, seconded by Commissioner O'Keefe, approval of Option #1: Conduct the first and only public hearing and adopt the proposed Ordinance thereby dissolving the Leon County Energy Improvement District and repealing Chapter 15, sections 15-1 through 15-15, Code of Laws of Leon County, Florida.*

*The motion carried 6-0. (Commissioner Proctor absent).*

**32. First and Only Public Hearing to Consider Adopting a Resolution to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Assessments to Defray the Costs of the Tower Oaks 2/3 Program for Road Improvements**

County Administrator Long introduced this item. It requests the Board conduct the first and only public hearing to consider adopting a resolution of intent to use the uniform method for the levy, collection, and enforcement of non-ad valorem assessments to defray the costs of the Tower Oaks 2/3 Program for Road Improvements.

There were no public speakers.

*Commissioner Welch moved, seconded by Commissioner Caban, approval of Option #1: Conduct the Public Hearing and adopt the Resolution of Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Assessments to Defray the Costs of the Tower Oaks 2/3 Program for Road Improvements.*

*The motion carried 6-0. (Commissioner Proctor absent).*

**33. First and Only Public Hearing to Approve the Bradfordville Self Storage Type “C” Site and Development Plan Application**

County Administrator Long announced this public hearing. This item requests the Board conduct the first and only quasi-judicial Public Hearing, and conditionally approve the Bradfordville Self Storage Type “C” site and development plan application. The project site is located at 6785 Thomasville Road within the Bradfordville Office Residential (BOR) zoning district, which allows the proposed mini warehouses in accordance with the standards as set forth in the Bradfordville Commercial Services (BCS) District, and requires review and approval by the Board at a public hearing.

There were no public speakers.

*Commissioner Welch moved, seconded by Commissioner Minor, approval of Option #1: Conduct the first and only Public Hearing for the Bradfordville Self Storage Type “C” site and development plan application and approve the application with conditions based on the findings of fact and conclusions of law included herein and those established within the Development Review Committee’s record, as well as any evidence received at the Public Hearing.*

*The motion carried 6-0. (Commissioner Proctor absent).*

**34. First and Only Public Hearing to Consider a Proposed Ordinance Amending the Official Zoning Map to Change the Zoning Classification from Light Industrial (M-1) Zoning District to General Commercial (C-2) Zoning District for a 7.06 Acre Parcel and a 0.73 Acre Parcel Located at the Southwest Corner of Capital Circle SE and Tram Road**

County Administrator Long announced the public hearing. He stated that Mossy Head, LLC and Blow the Whistle, LCC have requested the Board approve a rezoning of land located on the southwest corner of Capital Circle SE and Tram Road. The requested rezoning would change the allowable uses from those that are primarily light manufacturing, processing, and storage to uses that are primarily retail commercial, convenience commercial, professional, and office in nature. This item requests the Board conduct the first and only quasi-judicial public hearing to consider adopting a proposed Ordinance amending the Official Zoning Map to change the zoning classification from Light Industrial (M-1) zoning district to the General Commercial (C-2) zoning district.

There were no public speakers.

*Commissioner O’Keefe moved, seconded by Commissioner Caban, approval of Option #1: Conduct the first and only public hearing and adopt the proposed Ordinance amending the Official Zoning Map to change the zoning classification from Light Industrial (M-1) Zoning District to General Commercial (C-2) Zoning District, for an approximately 7.06-acre*

parcel and an approximately 0.73- acre adjacent parcel located on the southwest corner of Capital Circle and SE Tram Road, based on the findings of fact and conclusions of law of the Planning Commission, this report, and any evidence submitted at the hearing hereon.

*The motion carried 6-0. (Commissioner Proctor absent).*

**35. First and Only Public Hearing to Consider an Ordinance Amending the Official Zoning Map to Change the Zoning Classification from Light Industrial (M-1) Zoning District to Medium Density Residential (MR-1) Zoning District for 10.83-Acre Parcel Located on Tram Road West of Capital Circle SE**

County Administrator Long announced the public hearing. Mossy Head, LLC (registered agent: Rinesh Patel) has requested a rezoning of a 10.83-acre parcel located on the south side of Tram Road, approximately 476 feet west of the intersection with Capital Circle SE. The agent is Tom Daniels of Construction Permitting Solutions. This item requests the Board conduct the first and only quasi-judicial public hearing to consider an Ordinance amending the official zoning map to change the zoning classification from Light Industrial (M-1) Zoning District to Medium Density Residential (MR-1) Zoning District. If adopted, the requested rezoning would change the allowable uses from those that are primarily light manufacturing, processing, and storage to uses that are primarily residential in nature. At its November 1, 2022 meeting, the Planning Commission voted 5-0 to find the request consistent with the Comprehensive Plan and to recommend approval of the proposed Ordinance.

There were no public speakers.

*Commissioner O’Keefe moved, seconded by Commissioner Caban, approval of Option# 1: Conduct the first and only public hearing and adopt the proposed Ordinance amending the Official Zoning Map to change the zoning classification from the Light Industrial (M-1) Zoning District to the Medium Density Residential (MR-1) Zoning District, for a 10.83-acre parcel, located on the south side of Tram Road, approximately 476 Feet west of the intersection with Capital Circle SE, based on the findings of fact and conclusions of law of the Planning Commission, this report, and any evidence submitted at the hearing hereon.*

*The motion carried 6-0. (Commissioner Proctor absent).*

**CITIZENS TO BE HEARD ON NON-AGENDAED ITEMS**

(3-minute limit per speaker; Commission may discuss issues that are brought forth by speakers.)

- o Carma Harvey, 16919 Blountstown Highway, Fort Braden Community, thanked the Board for hearing the community and rescinding the vote to rename the Fort Braden Community Center. She proposed naming the playground equipment after Commissioner Jackson or in a different manner.

**COMMENTS/DISCUSSION ITEMS**

**County Attorney O’Steen:**

- No comments

**County Administrator Long:**



- No comments

## **COMMISSIONER DISCUSSION ITEMS**

### **Commissioner Welch:**

- Recognized the retirement of Kevin McGorty, the Tall Timbers Land Conservancy Director and stated that he was an icon in land conservation and preservation.
- Announced that Darryl Jones, Leon County School Board Member, is hosting a toy drive event to be held on Saturday, Dec. 17th that will be collecting new unwrapped toys and coats.
- Thanked Public Works staff for the Thanksgiving feast.
- Wished a happy belated birthday to Chairman Maddox.
- Wished everyone a Merry Christmas.
- Reflected on the potential need to open the cold night shelters in the coming days as the weather cools down.

### **Commissioner: O’Keefe:**

- Announced his aide, Gary Zirin, and shared he was proud to be able to retain him in his position.
- Stated his interest in serving on the Affordable Housing Advisory Committee and the Capital Regional Transportation Planning Agency. He offered that he had some expertise based on his past experience that may benefit the Leon County Research & Development Authority.
- Wished everyone Happy Holidays.

### **Commissioner Minor:**

- Reflected on the recent increase of litter in the community and asked for the community’s help to promote an anti-litter message.
- Reflected on his recent tour of 2-1-1 Big Bend, an umbrella organization that offers human services referrals. He made a motion for Tori Greer, the President/CEO, to provide a presentation providing an overview of the services provided by 2-1-1 Big Bend, its statistics for Leon County, and of the Suicide Hotline (9-8-8), at the Board’s January or February meeting.
  - *Commissioner Minor moved, seconded by Commissioner O’Keefe, to schedule a presentation from Tori Greer, President/CEO of 2-1-1 Big Bend, at an upcoming Board meeting.*

*The motion carried 6-0. (Commissioner Proctor absent).*
- Stated that the Big Bend Continuum of Care will be conducting its Point in Time Count on January 23rd, its annual homeless count, and invited volunteers to participate by visiting BigBendCOC.org/PIT23.
- Recognized Christine Earp and sons Thomas, Everett, and Maxwell, who are interested in politics and local government.
- Wished everyone Happy Holidays and Merry Christmas.

### **Commissioner Caban:**

- Requested a proclamation recognizing Duke Energy as a good corporate citizen in the County and its outstanding efforts to save the Fort Braden Tree.
  - *Commissioner Caban moved, seconded by Commissioner Welch, to approve a proclamation recognizing Duke Energy and its efforts to save the Fort Braden Tree.*

*The motion carried 5-1. (Commissioner O’Keefe opposed and Commissioner Proctor absent).*

- Motioned to rescind the Board’s September 13, 2022 vote approving the renaming of the Fort Braden Community Center, seconded by Maddox.
  - Commissioner Minor asked County Attorney O’Steen if the Board is allowed to have a policy item not on the agenda placed on the agenda and wanted to know if they were required to have a vote to bring the item back at a meeting so that it is properly noticed to the public or can they vote on the motion as it stands. County Attorney O’Steen confirmed that during Commissioner Discussion time, the Board can take policy action and that the difference under Board Policy is that in order for the policy action to pass, it has to be a unanimous vote.
  - Chairman Maddox confirmed with the County Attorney that Commissioner Caban can make the motion even though he did not participate in the original vote. County Attorney O’Steen confirmed that the Board’s meeting policy was recently revised to reflect that Robert’s Rules of Order is a guide, but the Board is not required to strictly stay within the parameters of Robert’s Rules of Order. The motion is legally permissible, and the vote will pass as long as there is a unanimous vote. He commended Commissioner Caban’s engagement with the community. He also commended his colleague and friend, the late Commissioner Jimbo Jackson.
  - Commissioner Caban thanked Commissioner Maddox for his support and asked the remaining Commissioners for their support since a unanimous vote was needed.
  - Commissioner Welch confirmed with County Attorney that Commissioner Proctor’s absence from the meeting, since he participated in the September 13th vote, was not an issue. County Attorney O’Steen confirmed that was accurate.
  - Commissioners O’Keefe and Minor commended Commissioner Caban’s efforts to engage the community.
  - Vice-Chair Cummings stated her support of the motion and thanked the community for their input. She shared great thoughts about Commissioner Jackson.
    - *Commissioner Caban moved, seconded by Chairman Maddox, to rescind the Board’s September 13, 2022 vote to approve the renaming of the Fort Braden Community Center.*
- The motion carried 6-0. (Commissioner Proctor absent).*

**Commissioner Proctor:**

- Not present

**Vice Chair Cummings:**

- Acknowledged all for participation for the Annual Christmas Parade/Winter Festival.
- Thanked the County Administrator, County Attorney, and staff for the tireless work they do for Leon County.
- Wished all a Merry Christmas and Happy New Year.

**Chairman Maddox:**

- Requested a proclamation recognizing Elder Chris Burney, from Greater Saint Mark Primitive Baptist Church, for being elected state president of the Primitive Baptist Church.
    - *Chairman Maddox moved, seconded by Commissioner Caban, to approve a proclamation recognizing Elder Chris Burney from Greater Saint Mark Primitive Baptist Church for being elected state president of the Primitive Baptist Church.*
- The motion carried 6-0. (Commissioner Proctor absent).*
- Requested a proclamation recognizing January 2023 as Human Trafficking Awareness Month to be presented at the January meeting.

- Commissioner Maddox moved, seconded by Commissioner Welch, to approve a proclamation recognizing January 2023 as Human Trafficking Awareness Month.

The motion carried 6-0. (Commissioner Proctor absent).

- Congratulated FSU and FAMU football teams on a winning season.
- Congratulated the recent wins for the State Champion High School Football Teams hosted in Tallahassee. He commended Florida High for an outstanding season.
- Thanked everyone for their prayers for his wife and wished his daughter, Mallie Maddox, a Happy Birthday.
- Asked for healing prayers for Commissioner Proctor.
- Thanked Vice-Chair Cummings for presiding.
- Wished all a Merry Christmas and Happy New Year.

**RECEIPT AND FILE:**

- None.

**ADJOURN:**

There being no further business to come before the Board, the meeting was adjourned at 6:06 p.m.

**LEON COUNTY, FLORIDA**

ATTEST:



A handwritten signature in black ink, appearing to read "Nick Maddox", is written over a horizontal line.

BY: Nick Maddox, Chairman  
Board of County Commissioners

A handwritten signature in black ink, appearing to read "Gwen Marshall Knight", is written over a horizontal line.

BY: Gwen Marshall Knight, Clerk of Court  
& Comptroller, Leon County, Florida